

CUSTODY AND CONFINEMENT PROCEDURES

Subcourse Number MP 1026

EDITION D

United States Army Military Police School
Fort Leonard Wood, Missouri 65473-8926

4 Credit Hours

Edition Date: June 1999

SUBCOURSE OVERVIEW

We designed this subcourse to teach you basic duties and responsibilities in the custody and confinement of military prisoners.

There are no prerequisites for this subcourse.

This subcourse reflects the doctrine which was current at the time it was prepared. In your own work situation, always refer to the latest official publications.

Unless otherwise stated, the masculine gender of singular pronouns is used to refer to both men and women.

TERMINAL LEARNING OBJECTIVE

ACTION: You will learn the basic duties and responsibilities in the custody and confinement of military prisoners.

CONDITION: You will have access to this subcourse, paper and pencil.

STANDARD: To demonstrate competency of this task, you must achieve a minimum of 70 percent on the final subcourse examination.

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ADMINISTRATIVE INSTRUCTIONS

1. Number of lessons in this subcourse: Five.
2. Materials you need in addition to this booklet are a number 2 pencil and the ACCP examination response sheet and preaddressed envelope you received with this subcourse.
3. Supervisory requirements: None.

GRADING AND CERTIFICATION INSTRUCTIONS

Examination: This subcourse contains a multiple-choice examination which covers the material in the five lessons. After studying the lessons and working through the practice exercises, complete the examination. Mark your answers in the subcourse booklet, then transfer them to the ACCP examination response sheet. Completely black out the lettered oval which corresponds to your selection (A, B, C, or D). Use a number 2 lead pencil to mark your responses. When you complete the ACCP examination response sheet, mail it in the preaddressed envelope you received with this subcourse. You will receive an examination score in the mail. You will receive four credit hours for successful completion of this examination.

LESSON 1

INPROCESSING PROCEDURES

Critical Tasks: 191-381-1286
191-381-1287
191-381-1288
191-381-1289
191-382-2342
191-382-2372
191-384-4425

OVERVIEW

LESSON DESCRIPTION:

In this lesson you will learn the procedures required to inprocess a new prisoner into a confinement facility.

TERMINAL LEARNING OBJECTIVE:

- ACTION:** Learn the tasks, procedures and forms for inprocessing a prisoner into a confinement facility.
- CONDITION:** You will have this subcourse, pencil and paper.
- STANDARD:** To demonstrate competency of this task, you must achieve a minimum score of 70 percent on the final subcourse examination.
- REFERENCES:** The material contained in this lesson was derived from the following publications: AR 20-1, AR 190-47, AR 210-174, AR 700-84, and FM 19-60.

INTRODUCTION

Thoroughly qualified and trained personnel will be assigned to process incoming prisoners. They should provide accurate information freely and helpfully to create an impression which will favorably affect the prisoner's future conduct and attitude.

Prisoners begin their confinement with their admissions processing. Facility staff can ease the impact of confinement by processing the prisoners in an orderly manner and by carefully observing the prisoners' rights. Their manner and attitude also show the prisoners that discipline will be firm but fair.

While the confined individual is still a soldier, his status changes from that of a duty soldier to that of a prisoner. Confinement places him in a different society and requires that he adjust to a changed environment. The manner in which the prisoner makes these adjustments depends, to a great extent, upon the impressions made during his inprocessing. The procedures and actions for admitting and processing prisoners into an Army confinement facility are presented in the subsequent paragraphs. It may become necessary for the correctional officer to alter these functions to fit the local and immediate situation. Nevertheless, the procedures and actions discussed below must be performed during the initial confinement of prisoners. The order in which they are presented is only a guide.

1. Preliminary Requirements.

a. Confinement facility policy may require the corrections noncommissioned officer (NCO) to perform or assist in the duties of inprocessing newly confined prisoners. This also involves determining that the DD Form 497 (Confinement Order) correctly reflects the required data and that it has been properly authenticated.

b. Next, the identity of the person to whom the order of confinement applies is verified by questioning him as to his identity and by checking his identification card. If there is doubt that the person being confined is not the same as stated on the confinement order, the correctional officer will be notified. All local means will be exhausted in identifying the person; for example, positive identification by the person's unit commander, first sergeant, or 201 files. Positive identification may also be established on the basis of fingerprint identification forwarded through the adjutant general to the Federal Bureau of Investigation (FBI). Pending confirmation of identification of the prisoner, his disposition will be based on instructions from the installation commander.

c. When the person's identity has been established, he will be receipted for. A copy of the receipt will be given to the individual escorting the person to be confined. If a duplicate copy is not available, a receipt will be prepared which includes the data contained in the receipt portion of the confinement order. The original copy will be retained at the confinement facility for the correctional officer.

d. After receipting for the person, a frisk search will be performed before the prisoner enters the reception area for his processing.

Prisoners transferred from another confinement facility will be identified, searched, and receipted for in the manner discussed in previous paragraphs. However, identification and receipt should normally be accomplished through the use of the pertinent transfer order.

2. Inprocessing Requirements.

Upon completion of the preliminary requirements, prisoners will be taken to the reception area and processed as discussed in the subsequent paragraphs. Necessary modifications will be made, as appropriate, to prevent duplicating those basic processing requirements already completed for prisoners transferred from another confinement facility. Inprocessing prisoners will be segregated from other prisoners while undergoing initial processing.

a. Search and Inventory Personal Property.

(1) When the prisoner enters the reception area, his personal property and valuables and military clothing and equipment will be searched for unauthorized materials. The search should be made in the prisoner's presence and include all items on his person. Military clothing and equipment will be checked to determine serviceability. It should be inventoried to establish that the prisoner has the required items in his possession. A list of unserviceable items and shortages of required items will be prepared so they can be replaced and issued later. (See Figure 1-1 and 1-2 for clothing allowances.)

(2) During normal duty hours, personal property and valuables will be inventoried by a member of the Property and Fund Section and listed on DA Form 1132 (Prisoner's Personal Property List - Personal Deposit Fund). (See Figure 1-3.) Items of an officer's uniform will be listed because these items are purchased from the individual's funds and therefore become the personal property of the individual. The original DA Form 1132 will be retained in the property and fund section; one copy will be retained by the prisoner; one copy will be placed inside the container in which the personal valuables authorized for retention are held for safekeeping; one copy will be affixed to the outside of this container; and the remaining copy will be filed in the supply room where personal property is stored. After normal duty hours, personal property and valuables will be inventoried by an on duty guard on DA Form 4137 (Evidence/Property Custody Document) and secured for normal processing.

(3) The prisoner's valuables such as watches, rings, billfolds, keys, pens, official papers, religious emblems, and medals, or items of sentimental value will be placed in a 16" x 12" manila envelope. The prisoner, the custodian or his representative, and a witness will be present and sign all copies of DA Form 1132. The manila envelope will be closed by the prisoner after the DA Form 1132 has been placed inside. The prisoner's signature will be completely covered by clear cellulose tape and a copy of DA Form 1132 will then be affixed to the outside. This sealing procedure is required only for manila envelopes containing personal valuables and not for containers placed in a supply room which contain other

personal property of a prisoner. When inprocessing a prisoner after normal duty hours, his personal property is inventoried on a DA Form 4137 (Evidence/Property Custody Document). The prisoner signs the form, then you sign the form, accepting custody of the property. Place the valuables and one copy of the DA Form 4137 inside the envelope. Have the prisoner seal the envelope and sign his/her name over the seal. Give the prisoner a copy of the form and attach the other copies to the envelope. Place the envelope in a temporary storage container. Have each shift check the seal on the envelope. Each shift supervisor signs for property prior to ending his tour of duty.

(4) During the processing of the prisoner's personal property and valuables, the custodian or his enlisted representative will inform the prisoner that--

- Subsequent receipts of personal property or valuables received and authorized for retention at the confinement facility will be processed in the manner as the original receipt.
- Should he be transferred, his personal property and valuables will accompany him and will be subject to the regulations of the receiving confinement facility.
- He is not permitted to have money in his personal possession. The personal deposit fund procedures will be explained to the prisoner at this time to include receipting for the personal funds in the prisoner's possession.
- Under no circumstances will he be permitted access to his or other prisoners' personal property or personal property records.

b. Search the prisoner.

(1) A strip search will be conducted prior to the completion of processing the prisoner's personal property and valuables. A strip search will be conducted as follows:

(a) All areas of the body, particularly the scalp, underarms, crotch area, and body openings such as ears, nose, and mouth will be examined. If the prisoner wears removable dentures, have them removed during the search.

(b) The anus or inside other body cavities will not be searched. If it is suspected that unauthorized articles may be secreted in these areas, the facility staff should request a medical officer to perform the search. Some prisoners conceal narcotics in balloons or rubber bags which they either swallow or insert into the anal cavity to be retrieved later. If this search is to be made later, the prisoner must be kept under constant observation until it is done.

Table 5-1 Clothing Requirements for Prisoners in Army Correctional/Confinement Facilities Pretrial/Casual Confinement Status (Temp Issue)		
1. Personal Clothing Items	1. Male	1. Female
Bag, duffel	-----	-----
Belt, trousers	1	1
Boot, combat	1	1
Buckle, black	1	1
Buckle, brass	1	-----
Cap, camouflage	1	1
Cap, garrison	1	1
Coat, all weather	-----	-----
Coat, CW	1	1
Coat, Camouflage HW	1	1
Coat, camouflage temp	1	1
Coat, poly/wool AG	1	1
Drawers, brown	1	-----
Gloves, black, unisex	1	1
Gloves, shell	1	1
Necktab	-----	1
Necktie	1	-----
Shirt, long/short sleeve	1ea	1ea
Shoe, oxford	1	1
Skirt, poly/wool	-----	1
Socks, cotton/nylon	1	-----
Socks, wool	3	3
Towel, bath	2	2
Trousers, camouflage, HW	1	1
Trousers, camouflage, temp	1	1
Trousers, poly/wool	1	-----
Undershirt, brown	3	3
Undershirt, white	2	-----
Bag, barracks	1	1
Drawers, CW1	1	1
Undershirt, CW1	1	1
Notes:		
1 1Seasonal		

Figure 1-1. Clothing Allowance for Pre-trial/Casual Male Prisoners.

Table 5-2 Clothing Requirements for Prisoners in Army Correctional/Confinement Facilities		
1. Personal Clothing Items	1. Male	1. Female
Bag, duffel	-----	-----
Belt, trousers	1	1
Boot, combat	2	2
Buckle, black	1	1
Buckle, brass	1	-----
Cap, camouflage	2	2
Cap, garrison	1	1
Coat, all weather	1	1
Coat, camouflage, CW	1	1
Coat, camouflage HW	2	2
Coat, camouflage temp	2	2
Coat, poly/wool AG	1	1
Drawers, brown	7	-----
Gloves, black, unisex	1	1
Gloves, inserts	2	2
Gloves, shell	1	1
Handbag	-----	1
Necktab, long/short sleeve	-----	1ea
Necktie	1	-----
Shirt, long/short sleeve	1ea	1ea
Shoe, oxford	1	1
Skirt, poly/wool AG	-----	1
Slacks, poly/wool	-----	1
Socks, cotton/nylon	3	-----
Socks, wool	7	7
Towel, bath	4	4
Trousers, camouflage, HW	2	2
Trousers, camouflage, temp	2	2
Trousers, poly/wool	1	-----
Undershirt, brown	7	7
Undershirt, white	2	2
Notes: Three sets of undergarments may be issued to EW as necessary.		

Figure 1-2. Clothing Allowance for Male/Female Prisoners.

PRISONER'S PERSONAL PROPERTY LIST - PERSONAL DEPOSIT FUND For use of this form, see AR 210-174; the proponent agency is USAFAC.					DATE 27 FEB 99	
DATA REQUIRED BY THE PRIVACY ACT OF 1974						
AUTHORITY: Title 10, USC, Sec 3012. PRINCIPAL PURPOSE: To verify information given on prisoner's cash account. ROUTINE USE: Information is used to verify balance of funds from PDF. DISCLOSURE & EFFECT: VOLUNTARY. If information is not provided, cash account cannot be maintained.						
NAME (Last - First - Middle Initial) Walker, Charles T.					REGISTER OR SOCIAL SECURITY NUMBER 001-103-0040	
		DISPOSITION				
DESCRIPTION OF PROPERTY	QUANTITY RECEIVED	SHIPPED	DESTROYED	PRISONER'S POSSESSION	STORED	
					CONTAINER VALUABLES	SUPPLY ROOM OTHER ITEMS
WATCH SEIKO, Gold-Colored SN 035018	1				1	
CHAIN NECKLACE, Gold-Colored 9"	1				1	
FIVE DOLLAR BILL, US, K19241643	1				1	
WALLET, Brown	1				1	
ID CARD # D861974	1				1	
-----LAST	ENTRY--	-----	-----	-----	-----	-----
PRISONER'S INITIALS	CTW				CTW	
CUSTODIAN'S INITIALS	DCP				DCP	
WITNESS' INITIALS	TML				TML	
RECEIPT IS ACKNOWLEDGED OF THE PROPERTY LISTED AS RECEIVED:						
SIGNATURE OF CUSTODIAN David C. Price				SIGNATURE OF WITNESS Tom M. Love		
ALL PERSONAL PROPERTY IN MY POSSESSION AT TIME OF CONFINEMENT IS LISTED ABOVE AND I AUTHORIZED DISPOSITION AS INDICATED.				ORGANIZATION OF WITNESS 43d MP Det Fort Blank, MO 65473		
SIGNATURE OF PRISONER Charles T. Walker						
REQUEST PROPERTY LISTED AS "SHIPPED" BE FORWARDED (<i>Check one</i> <input type="checkbox"/> COD <input type="checkbox"/> Prepaid) TO ADDRESSEE BELOW:						
NAME				ADDRESS		
Property Listed in Column "SHIPPED" was forwarded on:				Property Listed in Column "DESTROYED" was destroyed on:		
DATE	SIGNATURE OF CUSTODIAN		DATE	SIGNATURE OF CUSTODIAN		
RECEIPT FROM PRISONER (<i>to be completed upon final disposition of prisoner</i>)						
ALL OF THE PROPERTY HELD IN SAFEKEEPING FOR ME HAS BEEN RETURNED THIS DATE AND I RELIEVE THE CUSTODIAN OF ANY FURTHER RESPONSIBILITY.			DATE	SIGNATURE OF PRISONER		
<i>(See reverse side for Withdrawals and Additions)</i>						

DA FORM 1132-R, Apr 86

REPLACES DA FORM 1132, 1 NOV 79, WHICH MAY BE USED UNTIL EXHAUSTED

Figure 1-3. Example of DA Form 1132.

(c) If it is suspected that the prisoner may have swallowed an object, the facility staff should request a medical officer to give him a medical examination.

(d) The prisoner's body will be closely observed for evidence of needle marks, rash, abnormal conditions, or evidence of illness. If these conditions are observed, report them immediately to the correctional and medical officers.

(2) After the strip search has been completed, the prisoner will be directed to bathe (and shave (male prisoners) if required) under close supervision. The prisoner will be required to wash all areas of his body, particularly those areas in which there is hair. In some instances, narcotics users attempt to conceal narcotics in powdered form in their hair.

c. Examine the Prisoner.

Each newly confined prisoner will be examined by a medical officer, warrant officer, physician assistant, or nurse clinician within 24 hours after he is received at a confinement facility. This examination is primarily for the benefit of other prisoners already in confinement and the new prisoner being processed into the facility. The examination is used to determine if the new prisoner has any mental or physical limitations that will prevent him from performing certain hard labor duties. It may also establish diet restrictions, physical training limitations, medication requirements and so forth. A medical examination often identifies a communicable disease that requires separation from other prisoners to prevent spreading. The results of this examination will be recorded on DD Form 503 (Medical Examiner's Report) (see Figure 1-4) and filed in the prisoner's correctional treatment file.

d. Process Fingerprint Records.

(1) Facility personnel prepare and process fingerprint cards for inprocessing prisoners as follows:

(a) In those instances where verified information concerning an adjudged or sentenced prisoner's civil criminal record is required, verification may be initiated by preparing and forwarding FD Form 249 (United States Department of Justice Arrest Card) to the FBI. (See Figures 1-5 and 1-6.) This form will not indicate a charge, offense, suspected offense, disposition, sentence or information relative to the prisoner's previous history. Under "CHARGE OR OFFENSE" the word "inquiry" will be entered. Any information subsequently received from the FBI will be placed in the prisoner's correctional treatment file.

(b) When execution of a sentence to confinement of one year or more or a punitive discharge or dismissal occurs, action will be taken to report a prisoner's offense and sentence for entry on records of the FBI.

MEDICAL EXAMINER'S REPORT	
TO: Confinement Officer	Date 26 FEB 99
I HAVE THIS DATE EXAMINED THE PRISONER NAMED BELOW AND FIND THAT:	
HE <input checked="" type="checkbox"/> IS <input type="checkbox"/> IS NOT MENTALLY AND PHYSICALLY QUALIFIED TO PERFORM HARD LABOR	
HE <input checked="" type="checkbox"/> IS <input type="checkbox"/> IS NOT FREE FROM COMMUNICABLE DISEASE.	
LAST NAME – FIRST NAME – MIDDLE INTIAL JOHN, JONES L.	SERVICE NUMBER/SSAN 200-11-0054
<div style="text-align: right;"> <u>RYAN T. DOE, MD</u> SIGNATURE OF MEDICAL OFFICER </div>	

DD FORM 503 , 1 DEC 55 REPLACES EDITION OF 1 MAY 51, WHICH WILL BE USED UNTIL EXHAUSTED

Figure 1-4. Example of DD Form 503.

FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE WASHINGTON, D.C. 20537			
PALM PRINTS TAKEN? YES NO <input type="checkbox"/> <input type="checkbox"/> PHOTO AVAILABLE? YES NO <input type="checkbox"/> <input type="checkbox"/> IF AVAILABLE, PASTE PHOTO OVER INSTRUCTIONS IN DOTTED AREA → <div style="text-align: center; margin-top: 5px;">DO NOT USE STAPLES</div> SINCE PHOTOGRAPH MAY BECOME DETACHED INDICATE NAME DATE TAKEN FBI NUMBER CONTRIBUTOR AND ARREST NUMBER ON REVERSE SIDE. WHETHER ATTACHED TO FINGERPRINT CARD OR SUBMITTED LATER.		<div style="border: 1px dashed black; padding: 10px;"> <p style="text-align: center; margin-top: 0;">INSTRUCTIONS</p> <ol style="list-style-type: none"> 1. UNLESS OTHERWISE PROVIDED BY REGULATION IN YOUR STATE, FINGERPRINTS ARE TO BE SUBMITTED DIRECTLY TO FBI IDENTIFICATION DIVISION. FORWARD IMMEDIATELY FOR MOST EFFECTIVE SERVICE. 2. FINGERPRINTS SHOULD BE SUBMITTED BY <u>ARRESTING AGENCY ONLY</u> (MULTIPLE PRINTS ON THE SAME CHARGE SHOULD <u>NOT</u> BE SUBMITTED BY OTHER AGENCIES SUCH AS JAILS, RECEIVING AGENCIES, ETC.). REQUEST COPIES OF FBI IDENTIFICATION RECORD FOR ALL OTHER INTERESTED AGENCIES IN BLOCK BELOW. GIVE COMPLETE MAILING ADDRESS, INCLUDING ZIP CODE. 3. TYPE OR PRINT ALL INFORMATION. 4. NOTE AMPUTATIONS IN PROPER FINGER BLOCKS. 5. LIST FINAL DISPOSITION IN BLOCK ON FRONT SIDE. IF NOT NOW AVAILABLE, SUBMIT LATER ON FBI FORM R-84 FOR COMPLETION OF RECORD. IF FINAL DISPOSITION NOT AVAILABLE SHOW PRE-TRIAL OR ARRESTING AGENCY DISPOSITION, e.g., RELEASED, NO FORMAL CHARGE, BAIL, TURNED OVER TO, IN THE ARREST DISPOSITION BLOCK PROVIDED ON THIS SIDE. 6. MAKE CERTAIN ALL IMPRESSIONS ARE LEGIBLE, FULLY ROLLED AND CLASSIFIABLE. </div>	
IF ARREST FINGERPRINTS SENT FBI PREVIOUSLY AND FBI NO. UNKNOWN. FURNISH ARREST NO. _____ DATE _____		<ol style="list-style-type: none"> 7. CAUTION – CHECK BOX ON FRONT IF CAUTION STATEMENT INDICATED. BASIS FOR CAUTION (ICO) MUST GIVE REASON FOR CAUTION, e.g., ARMED AND DANGEROUS, SUICIDAL, ETC. 8. MISCELLANEOUS NUMBER <u>MNU</u> – SHOULD INCLUDE SUCH NUMBERS AS MILITARY SERVICE, PASSPORT AND/OR VETERANS ADMINISTRATION (IDENTIFY TYPE OF NUMBER). 9. PROVIDE STATUTE CITATION, IDENTIFYING SPECIFIC STATUTE (example – PL for PENAL LAW) AND CRIMINAL CODE CITATION INCLUDING ANY SUB-SECTIONS. 10. ALL INFORMATION REQUESTED IS ESSENTIAL. 	
STATUTE CITATION (SEE INSTRUCTION NO. 9) <u>CIT</u> 1. 2. 3.			
ARREST DISPOSITION(SEE INSTRUCTION NO. 5) <u>ADN</u>			
EMPLOYER: IF U.S. GOVERNMENT, INDICATE SPECIFIC AGENCY. IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO.		SEND COPY TO:	
OCCUPATION			
RESIDENCE OF PERSON FINGERPRINTED			
SCARS, MARKS, TATOOS, AND AMPUTATIONS <u>SMT</u>		REPLY DESIRED: YES NO <input type="checkbox"/> <input type="checkbox"/> (REPLY WILL BE SENT IN ALL CASES IF SUBJECT FOUND TO BE WANTED) IF COLLECT WIRE OR COLLECT TELEPHONE REPLY DESIRED, INDICATE HERE (WIRE SENT ON ALL UNKNOWN DECEASED)	
BASIS FOR CAUTION <u>ICO</u>		WIRE REPLY TELEPHONE REPLY TELEPHONE NO. AND AREA CODE <input type="checkbox"/> <input type="checkbox"/> _____	
DATE OF OFFENSE <u>DOO</u>	SKIN TONE <u>SKN</u>	LEAVE BLANK	
MISC. NO. <u>MNU</u>			
ADDITIONAL INFORMATION		LEAVE BLANK	

Figure 1-5. Example of FD Form 249 (front).

LEAVE BLANK						<div>Type or print all information in black Last Name NAM First Name Middle Initial</div>								<div>FBI LEAVE BLANK</div>																			
STATE USAGE						ALIASES						CONTRIBUTOR ORI																					
SIGNATURE OF PERSON FINGERPRINTED																																	
THIS DATA MAY BE COMPUTERIZED IN LOCAL, STATE, AND NATIONAL FILES						DATE ARRESTED OR RECEIVED DOA						SEX		RACE		HGT		WGT		EYES		HAIR		DATE OF BIRTH DOB Month Day Year					PLACE OF BIRTH POB				
DATE		SIGNATURE OF OFFICIAL TAKING FINGERPRINTS				YOUR NO. OCA						LEAVE BLANK																					
						FBI NO. FBI																											
CHARGE						SID NO. SID																											
FINAL DISPOSITION						SOCIAL SECURITY NO. SOC						CLASS.																					
												REF																					
						CAUTION																											
1. R. THUMB						2. R. INDEX						3. R. MIDDLE						4. R. RING						5. R. LITTLE									
6. L. THUMB						7. L. INDEX						8. L. MIDDLE						9. L. RING						10. L. LITTLE									
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY						L. THUMB						R. THUMB						RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY															

Figure 1-6. Example of FD Form 249 (back).

At the time punitive discharge or dismissal is executed, the following actions, as appropriate, will be taken:

- If FD Form 249 was previously prepared and forwarded to the FBI, a disposition sheet Form R-84 (FBI) specifying the charge, sentence, and FBI file number will be completed and forwarded to the FBI.
- If an FD Form 249 was not prepared and forwarded to the FBI, one will be prepared showing the charge and sentence and forwarded to the FBI.

(2) Completed FD Form 249 and R-84 (FBI) will be forwarded directly without letter of transmittal to United States Department of Justice, Federal Bureau of Investigation, ATTN: Identification Division, Washington, DC 20537. A supply of FD Forms 249 and Forms R-84 (FBI) may be obtained through normal publication supply channels.

e. Check Records.

If, during processing or at a later date, the installation commander desires a records check with Crime Records Directorate, US Army Criminal Investigation Division Command (USACIDC) on selected prisoners, a letter request may be prepared directly to that agency.

The request must include the full name, date of birth, social security number of the prisoner and, when Computerized Criminal History Records are requested, full justification is required.

f. Explain Complaints and Interviews.

(1) The rights of prisoners regarding complaints and grievances will be fully and clearly explained. The facility commander will receive oral complaints upon request of the prisoner. He will impartially consider the complaints and, where appropriate, take immediate corrective action. The correctional officer will promptly advise prisoners of the actions taken regarding their complaints.

(2) The facility chaplain will interview prisoners as soon as possible during the processing phase and advise them of the available services and activities. He should set the tone of positive acceptance essential to correctional treatment.

(a) Prisoners who request an interview will submit on DD Form 510 (Request for Interview). (See Figure 1-7.) The facility staff will give maximum assistance to prisoners in obtaining solutions to their problems.

(b) Prisoners will be granted interviews with the facility commander or other persons concerned. Prisoners are also permitted an interview with their commander or with members of the commander's staff, as required.

REQUEST FOR INTERVIEW			
TO: Confinement Officer			DATE
REQUEST THAT I BE AUTHORIZED AN INTERVIEW WITH THE PERSON NAMED BELOW			
NAME OR TITLE			
SUBJECT AND PURPOSE OF THE INTERVIEW			
SAMPLE			
PRISONER'S NAME <i>(Printed)</i>	SERVICE NO./SSN	DEPT. OF MIL. SERVICE	SIGNATURE OF PRISONER
ACTION <i>(To be filled in by Confinement Officer)</i>			
INTERVIEW WAS <input type="checkbox"/> AUTHORIZED <input type="checkbox"/> NOT AUTHORIZED <i>(show reasons under Remarks)</i>			DATE
FORWARDED TO <i>(Name, Grade and Organization, printed)</i>			DATE
INTERVIEW WAS HELD WITH <i>(Name, Grade, and Organization, printed)</i>			DATE
REMARKS			
NAME AND GRADE OF CONFINEMENT OFFICER <i>(Printed)</i>		SIGNATURE OF CONFINEMENT OFFICER	

DD FORM 1 MAY 51 **510**

Figure 1-7. Example of DD Form 510.

g. Explain Rules and Regulations.

Prisoners will be issued a copy of the facility rules and regulations when inprocessing. Each prisoner will sign receipt for his copy. The rules and regulations will be completely explained to the prisoners. This will be done point-by-point, by lecture and discussion, supplying sufficient information to give prisoners an understanding of what is expected of them. Prisoners will be advised of established facility uniform and individual equipment policies. They will be oriented on correspondence, publications, communication, and visiting rules.

h. Explain Prisoner Rights.

All prisoners will be carefully oriented as to their status, rights, and privileges. They will be afforded rights and privileges of soldiers or officers on normal duty status, except those necessarily denied by reason of confinement. Prisoners will be required to participate in those phases of the correctional treatment program determined to be necessary to assure their safe control, custody, work and training assignments, health, and welfare. Officer prisoners and noncommissioned officers in a detained prisoner status cannot exercise command or supervisory authority over other persons while confined. They will be required to comply with the rules and regulations of the confinement facility to the same extent as other prisoners.

i. Compile Personal History Record.

A major action completed during prisoner inprocessing is the interview conducted by a member of the Prisoner Administrative Branch. This interview is used to compile DD Form 498 (Prisoner's Personal History Record). (See Figures 1-8 and 1-9.) It is also used to review or update information for transferred prisoners. DD Form 498 will be executed in accordance with instructions contained therein. Information not initially available will be entered as it becomes available. The DD Form 498 is a part of the correctional treatment file used frequently by the facility commander in evaluating the prisoner.

j. Take Photographs

Individual identification photographs will be taken of each inprocessing prisoner. It is preferable that the photograph be taken with a Polaroid-type camera with a split-image device so that two pairs of photographs, both front profile views, can be made on one negative area. Photographs will be retained in the prisoner's correctional treatment file. They will be used for identification purposes, for possible use on the installation parolee form, and to accompany the fingerprint card forwarded to the FBI. The Polaroid-type camera is recommended because it permits the photographer to immediately see that he has a usable picture and eliminates the requirement for a darkroom and technician.

PRISONER'S PERSONAL HISTORY RECORD										
LAST NAME-FIRST NAME-MIDDLE INITIAL LUNCHMEAT, Larry O.				GRADE E-1		SSN 211-11-1111		DEPT OF MIL SVC U.S. Army		
ORGANIZATION Co. A, 10 th Inf, 3 rd Inf Bde				INSTALLATION Fort Leonard Wood, MO. 65473						
DATE OF BIRTH 18 Nov 75		HEIGHT 68"	WEIGHT 160	COLOR OF EYES Brown		COLOR OF HAIR Black		NATIONALITY US		MARITAL STATUS Married
ALIASES NONE		SPECIAL ABILITIES Mechanic		IDENTIFYING MARKS (Scars, tattoos, etc.) 2" scar on right forearm						
MILITARY SERVICE DATA					NAMES AND ADDRESSES OF RELATIVES (If necessary, use a continuation sheet)					
DATE ENTERED CURRENT TOUR 15 JAN 99		METHOD OF ENTRY <input type="checkbox"/> REENLISTMENT <input checked="" type="checkbox"/> INIT ENL <input type="checkbox"/> INDUCTION			WIFE Karen Lunchmeat 2301 hungry Street St. Roberts, MO. 65473					
PRIOR SERVICE (Army, Navy, MC, Air Force)		FROM		TO		MOTHER (If deceased, so state) Mary Lunchmeat 110 full Street St. Roberts, MO. 65473				
						FATHER (If deceased, so state) Deceased				
HIGHEST GRADE ATTAINED E-1		CURRENT MOS OR AFS 18E10			BROTHERS AND SISTERS NONE					
DECORATIONS AND AWARDS					CHILDREN NONE					
CONFINED BY CPT JOE E. SMITH			RECEIVED FROM SFC RAY T. HARDCORE			OFFENSE AND UCMJ ARTICLE VIOLATED Art 86, AWOL				
CLASSIFICATION				DATES						
MAXIMUM CUSTODY										
MEDIUM CUSTODY										
MINIMUM CUSTODY										
INSTALLATION PAROLEE										
PUNITIVE DISCH <input type="checkbox"/> YES <input type="checkbox"/> NO		TYPE DISCHARGE <input type="checkbox"/> BCD <input type="checkbox"/> DD		DISCH SUSPENDED <input type="checkbox"/> YES <input type="checkbox"/> NO		MITIGATION OF SENTENCE				
DATE DISCHARGE ISSUED						RECOMMENDATION		DATE RECOMMENDED		
								DATE APPROVED		
						SUSPENSION				
						REMISSION				
DATES OF CLEMENCY ACTION				RELEASE OR TRANSFER						
DUE	CONSIDERED	GRANTED	DENIED	DATE		AUTHORITY		REASON		
PRISONER STATUS	DATE	SENTENCE COMPUTATION		DAY	MONTH	YEAR	COURT-MARTIAL RECORD			
							CMO NO	DATE	ISSUING HQ	
CONFINED	26 DEC 99	FULL TERM CONFINEMENT								
		MAXIMUM RELEASE DATE								
SENTENCE ADJUDGED		MAXIMUM GCT TIME								
		MINIMUM RELEASE DATE								
SENTENCED		GOOD TIME FORFEITED								
		GOOD TIME RESTORED								

DD FORM 498, MAR 64

REPLACES EDITION OF 1 FEB 63 WHICH MAY BE USED.

Figure 1-8. Example of DD Form 498 (front).

CIVILIAN EDUCATION		MILITARY SERVICE SCHOOLS ATTEND		
AGE ENTERED SCHOOL	7	NAME OF SCHOOL	COURSE	DATE COMPLETED
AGE LEFT SCHOOL	18	ARMOR	AIT - Scout	14 Sep 98
HIGHEST GRADE COMPLETED	12			
REASON FOR LEAVING Graduated				
PREVIOUS MILITARY OFFENSES				
OFFENSE <i>(Include UCMJ Article and date, if known)</i>			SENTENCE	
NONE				
CIVILIAN ARREST RECORD <i>(Exclude minor traffic offenses)</i>				
DATE AND PLACE OF ARREST		OFFENSE		DISPOSITION OR SENTENCE
1 Jan 99 St. Roberts, MO.		DWI		Fined \$250.00
CIVILIAN EMPLOYMENT <i>(If necessary, use a continuation sheet)</i>				
NAME AND ADDRESS OF EMPLOYER		TYPE OF WORK	SALARY	DATE
MISCELLANEOUS DATA				
PHYSICAL HANDICAPS			HOSPITALIZED IN MENTAL INSTITUTION <i>(Place and Date)</i> <input type="checkbox"/> YES <input type="checkbox"/> NO	
PERSONAL HABITS			ACTIVE SPORTS AND HOBBIES	
GAMBLING: <input type="checkbox"/> FREQUENTLY <input checked="" type="checkbox"/> OCCASIONALLY <input type="checkbox"/> NEVER			Baseball	
DRINKING: <input type="checkbox"/> EXCESSIVELY <input checked="" type="checkbox"/> MODERATELY <input type="checkbox"/> NEVER				
CHURCH ATTENDANCE: <input type="checkbox"/> FREQUENTLY <input checked="" type="checkbox"/> OCCASIONALLY <input type="checkbox"/> NEVER				
RELIGIOUS PREFERENCE Baptist				
REMARKS				

Figure 1-9. Example of DD Form 498 (back).

REQUEST AND RECEIPT FOR HEALTH AND COMFORT SUPPLIES				
TO: CONFINEMENT OFFICER		INSTALLATION Fort Leonard Wood, MO. 65473		DATE 20 Dec 99
REQUESTED BY (<i>Last Name-Middle Initial. Printed or Typed</i>) WALKER, Richard A.			GRADE OR RATE E1/PVT	
SSN 111-11-1111	ORGANIZATION Co. A, 10 th Inf Bn, 3 rd Inf Bde		DEPT. OR MIL SERVICE U.S. Army	
<p>I authorize the Confinement/Correctional Facility Commanding Officer to withdraw sufficient funds from my personal deposit fund account to pay for the health and comfort supplies described below. I understand that the cost of these supplies will be charged against my military pay account if the balance of my personal deposit fund account is insufficient to cover the total cost of these supplies. No charge will be made against my military pay account if I am in a nonpay and allowance status.</p>				
QUANTITY		ARTICLE	UNIT COST	COST
Requested	Issued			
1	1	Tube Toothpaste	\$0.69	\$0.69
1	1	Shaving Cream	\$0.49	\$0.49
1	1	Bar Soap	\$0.25	\$0.25
2	1	Carton Cigarettes (Marlboro)	\$3.90	\$3.90
REQUESTED BY (<i>Signature</i>) RICHARD A. WALKER			TOTAL COST	\$5.33
APPROVAL AND AUTHENTICATION				
NAME, GRADE OR RANK & TITLE OF APPROVING OFFICER (<i>Printed or Typed</i>) WILLIAM B. BOGGS, 1LT, Custodian		SIGNATURE OF APPROVING OFFICER WILLIAM B. BOGGS		
RECEIPT				
I acknowledge receipt of the issued health and comfort articles costing <i>FIVE Dollars 33/100 Cents.</i>		DATE 20 Dec 1999	SIGNATURE RICHARD A. WALKER	

DD FORM 504, 1 APR 76 EDITION OF 1 MAY 51 MAY BE USED.

Figure 1-10. Example of DD Form 504.

k. Provide Health and Comfort Supplies.

Health and comfort supplies will be provided within 24 hours after the prisoner is confined. When necessary, however, authorized health and comfort supplies will be issued immediately providing the prisoner's requested supplies do not violate the facility commander's guidance. Determine the prisoner's pay status and prepare DD Form 504 with the appropriate information. (See Figure 1-10.)

l. Assign Custody Grade.

During inprocessing and based upon evaluation of all information concerning the prisoner, a custody grade for each prisoner will be recommended by the correctional officer. This recommendation will establish a custody grade such as installation parolee, minimum custody, medium custody, or maximum custody. See Lesson 3 for a detailed description of the custody grades. The correctional officer normally assigns the custody grade upon completion of required interview with each newly confined prisoner. Upon completion of inprocessing, the prisoner is moved into the general prisoner population and housed according to status and custody grade.

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LESSON 1

PRACTICE EXERCISE

The following items will test your grasp of the material covered in this lesson. There is only one correct answer for each item. When you complete the exercise, check your answer with the answer key that follows. If you answer any item incorrectly, study again that part of the lesson which contains the portion involved.

1. After the prisoner's identity has been verified and after the prisoner has been properly receipted for, what is the next step in the inprocessing sequence?
 - A. Examination by a medical officer.
 - B. A strip search.
 - C. Completing FBI fingerprint cards and taking identification photographs.
 - D. A frisk search.
2. Which form is used very frequently by the facility commander to assist in evaluating the prisoner while he is in confinement?
 - A. DD Form 510.
 - B. DD Form 498.
 - C. DD Form 497.
 - D. DD Form 376.
3. During the inprocessing sequence, prisoners are specifically informed about which of the following?
 - A. Visiting rules.
 - B. Correspondence.
 - C. Facility uniform policies.
 - D. All of the above.
4. A prisoner desires to request an interview. On what form will the request for interview be initiated?
 - A. No form is necessary. An entry is made on the confinement facility blotter.
 - B. DD Form 510.
 - C. DA form 510.
 - D. DD Form 503.

5. The prisoner's personal property is inventoried and listed on the:
- A. DD Form 497.
 - B. DA Form 610.
 - C. DD Form 498.
 - D. DA Form 1132.
6. On the manila envelope containing the prisoner's personal valuables, clear cellulose tape will completely cover the signature of the:
- A. facility commander.
 - B. prisoner.
 - C. custodian.
 - D. supply sergeant.
7. During a strip search, what appears to be a piece of string is observed hanging from the prisoner's anal cavity. What is the appropriate action that should be taken and why?
- A. Immediately request a medical officer's presence as he can proceed with this search.
 - B. Notify the facility commander for further instructions as he can grant the necessary authority to proceed with the search.
 - C. Notify the senior correctional NCO after the item has been removed and identified.
 - D. Simply ignore the area and proceed with the search.
8. A completed Form R-84 (FBI) will be forwarded to the FBI Identification Division:
- A. through the major Army commander concerned.
 - B. through the major Army commander concerned with a letter of transmittal.
 - C. directly with a letter of transmittal.
 - D. directly without a letter of transmittal.

LESSON 1

PRACTICE EXERCISE

ANSWER KEY AND FEEDBACK

<u>Item</u>	<u>Correct Answer and Feedback</u>
1. D.	A frisk search. After receipting for the person, . . . (page 1-2, para 1d).
2. B.	DD Form 498. The DD Form 498 is a part . . . (page 1-14, para 2i).
3. D.	All of the above. Prisoners will be advised . . . (page 1-14, para 2g).
4. B.	DD Form 510. Prisoners who desire . . . (page 1-12, para 2f(2)(a)).
5. D.	DA Form 1132. During normal duty hours . . . (Page 1-3, para 2a(2)).
6. B.	Prisoner. The prisoner's signature . . . (page 1-3, para 2a(3)).
7. A.	Immediately request a medical officer's presence . . . If it is suspected that . . . (page 1-4, para 2b(1)(b)).
8. D.	Directly without a letter of transmittal. Completed FD Form 249... (page 1-12, para 2d(2)).

LESSON 2

COUNSELING PROCEDURES

CRITICAL TASKS: 191-381-1291
191-384-4400

OVERVIEW

LESSON DESCRIPTION:

In this lesson you will learn to identify prisoners with problems, assist them in solving their problems, and the application of counseling.

TERMINAL LEARNING OBJECTIVE:

- ACTION: Identify prisoners with problems and apply counseling techniques.
- CONDITION: You will have this subcourse, pencil, and paper.
- STANDARD: To demonstrate competency of this task, you must achieve a minimum score of 70 percent on the final subcourse examination.
- REFERENCES: The material contained in this lesson was derived from the following publications: AR 190-47 and FM 19-60.

INTRODUCTION

The confinement facility staff provides limited crisis intervention counseling and prisoner evaluation reports. They require proper referrals for more specialized counseling and treatment when warranted. They also provide more extensive counseling and evaluation with in-depth, long-range treatment programs. Whether you are concerned with the in-depth counseling or just immediate crisis intervention counseling, the same basic principles apply.

Correctional treatment is based on a plan and program of custody, employment, and training and treatment adapted to meet the needs of the prisoner. It is based on discovery and analysis of the causes of the prisoner's behavior and attitudes through professional evaluation and continued study of the individual.

The success of correctional treatment depends upon the success achieved by correctional personnel and others in counseling prisoners. Counseling should help prisoners identify and solve their problems and, in turn, change their attitudes and behavior. Prisoner counseling involves a series of contacts with a prisoner in which the prisoner is offered assistance in defining his problems, seeking solutions, and changing his attitude and behavior. Counseling helps the prisoner to understand himself and his environment. It helps him assume the responsibility for making his own decisions.

Through custodial control and timely correctional treatment and counseling, a prisoner is guided towards becoming a well-trained, better educated, and more responsible individual. Counseling helps a prisoner to understand, accept, and resolve his problems. An effective prisoner counseling program has numerous benefits which include the following:

- Reduced disciplinary problems.
- Reduced custodial supervisory requirements and administrative workload.
- Improved prisoner morale.
- Better understanding by prisoners of their obligations and improvement in their attitude and outlook.
- Motivation of prisoners to engage in training, employment, education, and other self-improvement activities.

It is extremely difficult to evaluate the effectiveness of a good counseling program. The value can be judged only by the overall effectiveness of the facility. A good counseling program recognizes that a change in attitude of a prisoner is necessary for him to return to society as a responsible citizen. In a successful program, a prisoner leaves the facility less hostile than when he entered. It is helpful if he has improved his educational level or learned a trade; however, it is more important that he has faith in himself and trusts others. He must want to do, and have the maturity and understanding to do, those things that are right. The correctional staff works to bring about a change in the hostile attitude and false values that have resulted in the prisoner's conflict with society. Therefore, the treatment program cannot be evaluated on how well the prisoner adjusts while in the facility. The real success of the facility can be evaluated only in the success of the prisoner and his adjustment upon his return to a military or civilian society.

1. Recognizing Prisoners With Problems.

a. Prisoners experience a wide range of problems which include financial difficulties, family problems, emotional stress, and severe medical or psychological maladjustments. It is

easier to help a prisoner who recognizes he has a problem. Such a prisoner will normally take the first step in solving his problem. His first step may be to ask for an appointment with the commander or chaplain.

(1) There are also prisoners who have problems but refuse to recognize them. These prisoners show they have a problem by their actions or by their attitudes. When this happens, the correctional staff must be able to identify that the prisoner has a problem so that it can be dealt with.

(2) The commander continually evaluates a prisoner by using information compiled on the prisoner and his professional knowledge and experience. This evaluation establishes basic facts and interpretations concerning the offense, habits, discipline, intelligence, aptitude, personality, potential for retention in military service, and problems of the prisoner.

b. A prisoner is controlled, supervised, and observed throughout his confinement by all personnel assigned to the facility. Areas that should be closely observed because they may indicate need for attitude adjustment include--

- Appearance. Is the prisoner clean, neat, and well-dressed?
- Bearing. Does the prisoner have military bearing--does he slouch or slump?
- Conduct. Has the prisoner exhibited insubordinate conduct?
- Demeanor. Is the prisoner cocky, sullen, or depressed?
- Efficiency. How well does the prisoner accomplish his assigned tasks?
- Health. Does the prisoner appear to be in good health? Is he flushed, pale, nervous, or dull? Does he have a visible injury such as a limp?
- Group activities. What type of group has the prisoner joined, attempted to join, or refused to join?

NOTE: Although the presence of a problem in one of these areas is not a complete indication that the prisoner needs assistance, continued problems in these areas are an indication that professional counseling may be required.

c. The Corrections Specialist Role.

(1) Corrections specialist play a major role in identifying prisoners who have problems. Because of their daily contact with prisoners, they are a vital source of information to counselors.

Because corrections specialist work so closely with prisoners, they must have an understanding of human behavior. How they treat prisoners will have a bearing on prisoner attitudes. If prisoners do not trust or respect a corrections specialist, they will not seek assistance from him.

As previously stated, it is much easier to help a prisoner when he recognizes he has a problem and seeks assistance on his own. When this happens, the corrections specialist normally refers him to the appropriate counseling agency. However, in most cases, the prisoner will not seek assistance on his own, but will attempt to conceal his problem. When this happens, the problem normally shows in poor performance or in abnormal behavior. A good example of this is the problem prisoner. In many cases, a prisoner is a problem because he has a problem. By helping him solve his own problems and readjust his way of thinking, his performance and attitude can be modified.

(2) Any time a corrections specialist feels that a prisoner's behavior is not normal, he should take appropriate action to report the behavior to his supervisors so assistance may be given to the prisoner. The corrections specialist should remember that he will be criticized more for taking no action than for taking what he believes to be correct action.

One of the most important ways a corrections specialist can inform his supervisors of a problem prisoner is through the observation report. This is a locally produced form used to keep the commander informed of the prisoners in his charge. This form may also be used when a disciplinary infraction occurs. Basic information includes name, branch of service, status, classification, and summary of the observation or incident. A typical form is shown at Figures 2-1 and 2-2. See Figures 3-2 through 3-5 in Lesson 3 for completed examples. This report should be used to ensure that all appropriate agencies and individuals are informed of an incident or observation involving a prisoner.

REPORT OF OBSERVATION/DISCIPLINARY INFRACTION					
TO: CORRECTIONAL OFFICER				DATE:	
<input type="checkbox"/> REPORT OF OBSERVATION <input type="checkbox"/> REPORT OF OBSERVATION					
LAST NAME – FIRST NAME – MIDDLE INITIAL:					
DEPT OF MILITARY SERVICE:	STATUS: <input type="checkbox"/> OFF <input type="checkbox"/> DET <input type="checkbox"/> CAS <input type="checkbox"/> ADJ <input type="checkbox"/> SENT			CELL # _____ CELLBLOCK _____	
1. OBSERVATION/INCIDENT (Use reverse side if necessary) SUMMARY: (Give all details of observation/incident to include date & time) <div style="height: 80px;"></div>					
2. REPORTED BY:		RANK:	SSAN:	UNIT:	SIGNATURE:
NAME:					
ASSIGNED DUTY:			LOCATION OF OBSERVATION/INCIDENT:		
3. WITNESSES: (Name, rank, SSAN, unit) <div style="height: 40px;"></div>					
4. WAS THE PRISONER INFORMED OF THIS REPORT? <div style="text-align: center;"> <input type="checkbox"/> YES <input type="checkbox"/> NO </div>					

5. ACTION TAKEN BY CORRECTIONAL PERSONNEL:_____

6. **RECOMMENDATION OF SHIFT CORRECTIONAL SUPERVISOR:**

Signature

7. **RECOMMENDATION OF CHIEF CORRECTIONAL SUPERVISOR:**

Signature

8. REMARKS OF SENIOR CORRECTIONAL NCO:

Counselor notified

Signature

9. RESULTS OF DISCIPLINARY AND ADJUSTMENT BOARD:

Signature

10. ACTION TAKEN/RECOMMENDED BY CORRECTIONAL OFFICER:

Signature

11. CONTINUATION: (To be used for continuation of items 1 thru 11 as required)



Figure 2-2. Example of Observation and Disciplinary Report (back).

d. Problem Prisoners.

(1) Escape-minded Prisoners. Prisoners who say they are going to escape should be treated seriously. Those who dwell on escape will often express their thoughts to correctional personnel. Their purpose is normally the hope that people in authority will prevent them from actually escaping and, therefore, remove them from the dangers of the act.

(2) Homosexual Prisoners. These may be either passive or aggressive. In many cases, only the individual playing the passive (female) role is identified. This may be because he is the one who seems different. The active type (the aggressive individual) is often not identified because he appears to be very masculine. Both types need professional help and should be identified for morale reasons.

(3) Neurotic Prisoners. The chief characteristic of the neurotic prisoner is a retreat from reality because reality is painful for some reason. With this avoidance of reality is an inability to deal with the real problems of everyday life.

(a) The milder forms of mental or emotional illness are neuroses. The major symptom of a neurosis is anxiety or vague and exaggerated feelings which don't seem to have an identifiable cause. This can become a long-standing pattern of behavior with the person always tense, easily upset, or worried. It can also flare up into sudden attacks of anxiety when the person manifests physical symptoms such as shaking and perspiring without knowing why. Sometimes a neurotic develops an unreasonable fear of a particular person, place, or thing. This unreasonable fear is classified as a phobia.

(b) Sometimes the neurotic's anxiety takes the form of exaggerated concern over physical illness or symptoms (hypochondria). This physical overconcern can either be generalized or quite specific. Occasionally, this anxiety can result in a particular nonorganically induced physical symptom such as temporary paralysis or temporary blindness. Although some may feel the neurotic is simply attempting to gain sympathy through his play acting, it must be stressed that the discomfort is real to a neurotic. The active neurotic is emotionally ill and needs professional treatment.

(c) The usual neurotic, however, is a chronically unhappy and overtly depressed person. Under such circumstances, his emotional picture is sad and dejected, and his behavior and speech are slow. In periods of depression, which are frequently accompanied by feelings of worthlessness and total loss of self-respect, there is frequently a clear danger of suicidal attempts. Psychotic prisoners are ones who hold strong beliefs even

when there is real evidence against those beliefs, or those who feel anyone is out to get them. He displays extreme violence or bizarre behavior.

(4) Suicide Risk Prisoners. An individual who claims that he plans on committing suicide should always be taken seriously. Normally, by announcing his intentions, he is asking for help. Failing to refer him to proper medical authorities or trying to "call his bluff" could be dangerous. An extremely depressed individual who has announced his intentions to commit suicide and then suddenly becomes extremely cheerful should also be considered dangerous and should be reported. This may be an indication that he has decided to carry out his intentions.

(5) Alcoholic or Drug User Prisoners. These individuals are extremely devious in their attempts to obtain alcohol or stimulants of any type. They are often very friendly with the staff to gain acceptance by them. Anyone suspected of obtaining or using alcohol or drugs must be reported immediately so that proper medical assistance can be obtained.

2. Counseling Prisoners.

Once an individual has been identified as having a problem, steps must be taken to help him solve his problem. There are several agencies available for referral. The type of referral will depend on the problem.

Counseling can be divided into two types--generalized and specialized. The division of counseling techniques is based on the experience, knowledge, and background of the counselor and his dealings with the prisoner.

a. Generalized Counseling.

Generalized counseling is objective guidance by mature corrections NCOs in areas of their own experience and training. It is normally nontechnical in nature and is based on the experience the counselor has had in facing problems. In essence, it is nothing more than "telling it like it is." This is when the counselor can be most effective because he has, in all probability, faced these general problem areas and mastered them. Some examples of generalized, or nontechnical, areas of counseling are--

- Meeting financial obligations and the importance of meeting such obligations fully and promptly.
- The importance of correct attitude and individual responsibility to one's self and to others.
- Proper conduct and appearance.

- The advantages of further education and training, whether the prisoner is to remain in military service or not. The counselor can both encourage the prisoner in this area and obtain special counseling for him to determine the appropriate program. There are many such areas--no listing can ever be complete. The counselor must always be alert for opportunities.
- b. Specialized Counseling.

Specialized counseling is guidance by professionally trained persons in the areas of their training and experience. Normally, this guidance is considered technical in nature. Some professionals who may assist include--

- The surgeon. His assistance can be sought in any problem of health, physical ailment, or illness. Removal or cure of a physical defect, for example, may change a prisoner's attitude and behavior.
- The mental hygiene consultation service. Any prisoner who displays any indication of mental abnormality, erratic or unusual behavior, must be referred to this service for psychiatric examination.
- The chaplain. The chaplain will advise and counsel prisoners on any problems concerned with religion or ethics. He will also provide character guidance instruction, assist in personality adjustment, counsel in marital affairs, and assist in similar areas.
- The staff judge advocate. Any matters pertaining to the prisoner's trial or sentence, or any appeals or similar actions, must be referred to the staff judge advocate. He will also provide assistance in any personal legal affairs or actions.
- The finance officer. The prisoner's financial affairs, such as pay and allowance, withholdings, and fines or forfeitures are matters for referral to the finance officer.
- The adjutant general. The adjutant general is responsible for personnel actions and records, publication of orders, and mail services.
- The inspector general. A prisoner may have a problem or complaint which is appropriate for investigation by the inspector general.

3. Selecting and Training Counselors.

The number of prisoner counselors in the counseling organization is determined by the type or size of the facility and by the prisoner population.

a. Counselor Requirements.

Counselors are selected by the commander from among the mature enlisted personnel of the activity. In selecting personnel to be trained and used as prisoner counselors, the following qualifications should be considered:

(1) Corrections Supervisory or NCO Experience. Although experience in military occupational specialty (MOS) 95C is desirable, it is not mandatory. However, such experience will give the counselor a knowledge of problems encountered in the custodial and treatment phase of confinement and of the problems that resulted in the prisoner's confinement.

(2) Counseling Experience. Experience in counseling is not mandatory. An individual's age, rank, and prior duty positions must be given due credit, since valuable knowledge and experience in counseling are often gained through everyday management and guidance of subordinates.

(3) Educational Background. Having an educational background in social science is highly desirable but is not required. The counselor must, however, possess the necessary formal education to be able to express himself properly, in speaking and in writing.

(4) Motivation. A counselor must possess the sincere desire to help others and exhibit the enthusiasm necessary to accomplish this end. Counseling requires long and irregular hours of work and sometimes appears unrewarding. Counselors must possess the temperament necessary to face and accept these problems.

(5) Personality Traits and Attributes. Counselors should have the following characteristics:

- Possess an understanding of human nature. Indications of this are maturity and good judgement.
- Be a good listener and have tact.
- Be able to determine where his capabilities end and the specialists' (lawyers, chaplain, psychiatrist) begin.
- Be firm, fair, objective, and not susceptible to soft talk.
- Be able to handle authority and not abuse it.

- Not be easily discouraged by setbacks. He must, in the face of failure, believe that prisoners can succeed in developing a better attitude and behavior pattern.
- Be mentally and emotionally stable.
- Be trustworthy.
- Have a thorough knowledge of regulations and policies governing prisoners.

b. Counselor Training.

The facility commander will be responsible for developing a training program for counselors. Once developed, the training schedule will be followed. Contents of this program should include--

- Study of human behavior and attitude.
- Problems of adjustment related to military service.
- Principles and methods of interviewing, counseling, and recording data.
- How, when, and where to make referrals to specialists.
- Case conferences and discussions.
- Procedures for administrative or medical discharge of nonrestorable prisoners.
- Use of the role-playing technique as a means to improve counselor's effectiveness.
- Procedures for court-martial, suspension and remission of sentences, and clemency.

4. Counseling Steps.

Correctional treatment depends to a great extent upon the success achieved in the interviewing and counseling of prisoners. A favorable relationship between the counselor and the prisoner is essential. This allows information and ideas to be freely expressed, communicated, and understood. The prisoner should be approached in a sincere and friendly, but firm, manner. A concerned and impartial approach is even more important. Realizing this, the prisoner soon recognizes he can trust and depend on his counselor. As a result, he more readily expresses himself and accepts advice or guidance offered. Every prisoner needs

to be identified as a worthwhile human being but can do so only if those around him respect his potential worth. He needs to learn social skills; to be able to look at himself without undue distortion or bias; and to function smoothly in his work and social relationships. This requires guidance, education, and practice in communicative relationships. He also needs access to social opportunities where he can practice his new skills and obtain rewards. The prisoner must also understand and avoid the negative aspects of his personal and social situations which have failed him in the past. To help the prisoner meet his social needs, the counselor works with the prisoner to first identify his problems and then to overcome them. Generally, counseling follows a definite pattern and progresses step by step in a logical process. However, these steps are not to be regarded as strictly limiting; they serve only as a guide in the process.

a. A Request for Help.

Until the prisoner asks for, or at least accepts, the offer for help, there can be no effective counseling. But, the request for help may take many forms. It may be written or verbal or, a prisoner may act out his request for help. Too many times an attempt at suicide is not a bonafide attempt to end life but nothing more than a cry for help. No normal human being finds it easy to publicly admit he has a problem he is unable to handle. For this reason, the counselor should always be easy to approach and should always look for the opportunity to offer assistance. It is very common for a prisoner to engage his counselor in seemingly meaningless conversation, rather than openly admit he needs advice. The counselor must never "shut the door" while talking to a prisoner.

b. Preparation by the Counselor.

Before a counselor can function efficiently, he must prepare himself. If time and circumstances permit, he should acquire a thorough background knowledge of the prisoner. If he is stopped in the hallway and asked a question that requires an immediate response, there may not be an opportunity to prepare. But, on the other hand, if he is initiating the contact, he should research the prisoner's background. There is nothing more demoralizing to a prisoner than to have a counselor ask basic questions such as "how long have you been in confinement?" Also, the counselor prepares himself to have a proper attitude. A prisoner can sense if he is not in the frame of mind to counsel. Greeting a prisoner with, "Well what problem have you thought up now?" will effectively kill the contact.

c. Rapport and Ventilation.

Rapport is defined as a relationship marked by harmony, accord, and affinity. It may be simplified as a common trust and acceptance between two people. The counselor may accept and trust the prisoner, but until the feeling is returned, there is no rapport. Ventilation is defined as discussing freely or publicly. In other words, when a prisoner is ventilating, he is talking without hedging or holding back. This is why obtaining rapport and

ventilation is the hardest step in counseling. The counselor must gain the prisoner's trust and get him to talk and discuss his problems. Once the counselor gets the prisoner to ventilate, he may feel the prisoner is overdoing it. However, the counselor must allow him to let off steam without influencing their relationship. This will allow the prisoner to see his problems more realistically.

d. Analysis of the Problem.

The key or critical step of the counseling process is helping the prisoner to correctly analyze or identify the problem. First of all, if the prisoner does not identify the proper problem, then all effort expended on solving the wrong problem will be a waste. For example, too many times soldiers go absent without leave (AWOL) because they are unable to accept authority. They cannot face the harassment and run from the problem by going AWOL. But, if the counselor asks what the problem is, many prisoners will tell him about sick parents, trouble with girl friends, or alleged prejudice by the first sergeant. If the counselor spends time and effort on these imagined problems, he will never reach the basic problem of the prisoner not accepting discipline.

A second area of caution in this step is that the counselor should allow the prisoner to identify and analyze his own problem. In some cases, an impersonal observer will be able to identify the problem while the prisoner is still sorting out facts in his mind. The prisoner must feel that he was the one who discovered this problem, for then he will feel it is his to solve. If the counselor attempts to present the problem to a prisoner on a platter, the prisoner may well expect the counselor to solve the problem for him. The counselor's job is to help the prisoner solve the problem, not do it for him. Of course, by leading questions and suggestions, he can guide the prisoner to recognition of his problem.

e. Consideration of Possible Solutions.

Once the prisoner has accepted the fact that he has a problem and has correctly identified it, then he should consider all the possible solutions or methods of attacking the problem. Too many times, a counselor will suggest one solution and get the prisoner working on it without considering all the possible paths of action. As in the preceding step, every effort should be made to make the prisoner feel he is doing the work, rather than the counselor just listing possible actions. Every possible attempt should be made to make the prisoner feel he is doing the work, rather than the counselor just listing possible actions. Every possible solution should be considered, even if the act is illegal or immoral. For the man with money problems, one possible solution is to rob a bank. Even though this course of action is illegal and immoral and will probably be quickly discarded, it is still a possible solution. The reason for this consideration of all possible solutions is that when a prisoner does finally make a decision, there will be no nagging doubt that there may be another or better solution.

f. Selection of a Solution.

After considering all possible solutions, the prisoner discards all those that are unworkable and which would cause greater problems if used (such as suicide). From the remaining workable solutions, the prisoner selects and weighs the advantages and disadvantages of each. The counselor should be warned of another possible error he could make at this point. In all probability, he has been considering the prisoner's problem and perhaps has selected what he believes to be the best solution. The counselor, through experience, is able to guide the discussion, and keep the prisoner on the path to the eventual solution. The counselor must be careful here not to force his solution upon the prisoner. If the solution chosen by the prisoner has any chance of success, he should be allowed to try his course of action. The prisoner will feel the decision is his and not one forced upon him. Every effort should be made to persuade him that the solution was truly his discovery. Even if the counselor did most of the work by leading the prisoner in the problem-solving process, he should let the prisoner take credit for it because the prisoner is the one who needs confidence in his own abilities.

g. Implementation of the Solution.

Too many counselors make the error of feeling their job is finished when a prisoner makes a firm decision on a course of action to solve his problem. But, many times, the prisoner begins to have doubts about his own abilities or the problem looks too big for him. In most cases, just a little gentle reassurance is needed. But, the case may also call for firm, directive ("you should do it") guidance. After several interviews, the counselor has reached an understanding of the prisoner and knows if he should be firm or just make a suggestion for the prisoner to follow. In any case, the counselor should be sure that the prisoner has begun work on the solution to his problem.

h. Follow Up.

Just as in any field of leadership, success cannot be assumed. Follow up is necessary to assure the counselor the program is working. In most cases, the prisoner will sense the counselor's hopes for success, and his desire for success will be reinforced. Follow up will also show if the proper decision has been made. If it appears the prisoner is not achieving success, perhaps the counselor may have to guide the prisoner through all, or part, of the problem-solving process again to seek another workable solution. Counseling is not always 100 percent successful. It is a trial-and-error procedure. Most important is the fact that the counselor realizes the error and is able to adjust without causing undue hardship or frustration to the prisoner. This will help the counselor retain the confidence of the prisoner.

i. Record of Counseling.

A written record should be kept of the counseling sessions to ensure that the information obtained in the session can be made available to those who need it. There is no

prescribed form or format for preparing this record. However, as a minimum, it should contain--

- Date, time, and place of contact.
- Reason or circumstances of contact.
- Resume of the prisoner's comments.
- Action taken or required as a result of this contact (referrals, if made).
- Results of action required by this contact.
- Name of the counselor.
- Any information which will complete the record for future reference.

Preparation of these records should not be reserved for the formal counseling sessions. Anytime the counselor has a contact with his counselee, a note should be made and placed in the prisoner's file. This file will be valuable if a change of counselor is necessary. Figure 2-3 and 2-4 show examples of counselor records.

<u>Date</u> March 12 1985	<u>Time</u> 10:30
<u>Prisoner's name (Last)</u> Lewis	<u>(First)</u> David
<u>(M.I.)</u> J.	
<u>Reason for counseling:</u> Wife has advised credit company threatening repossession of automobile.	
<u>Action taken or referred to:</u>	
1. Counselor called credit company.	
2. Post SJA notified.	
3. Army Community Service Center credit counselor.	
<u>Results of counseling:</u> Post SJA advises credit company within rights under law. ACS credit counselor will contact credit company to work out possible payments.	
<u>Remarks:</u> Credit company not responsive to call by counselor. vehicle id 1983 280Z with high resale value. Company fears spouse may remove car from state.	
Counselor's name <u>Keith C. Godfree</u>	

Figure 2-3. Example of Counselor's Work Sheet.

DATE	PURPOSE OF CONTACT	SYNOPSIS OF PROBLEM	FILE REFERENCE OF COUNSELING SESSION
------	--------------------	---------------------	--

As stated earlier, many people believe that counseling is nothing more than telling another individual what his problem is and how he should solve it. True counseling is much more. Counseling has been defined as "a series of direct contacts with an individual which offer him assistance in understanding himself and in changing his attitudes and behavior." This is a valid definition, but you should consider its several parts before you try to apply the entire definition.

Counseling, if it is to be effective, is an ongoing process. More than one meeting with the counselee is necessary. Very few problems can be recognized and solved in just a few minutes or in one session. Thus, counseling calls for a series of repeated contacts.

To be effective, counseling is a face-to-face, or direct, meeting. No truly effective work can be done with a man unless you speak with him. Such things as facial expressions, gestures, and even periods of silence can tell you as much, or more, than words.

There are no average prisoners in our facilities--only individual prisoners who have problems unique to their own situation. Therefore, we should refrain from categorizing and generalizing about prisoners.

Counseling can only be offered or made available to a prisoner. If he does not want help, there is little that can be done. You cannot order a prisoner to be counseled. The prisoner can be forced to hear what the counselor has to say, but he cannot be forced to listen. Therefore, the job of a counselor is to offer, not to force.

The job of a counselor is to help, not to do. Look at yourself. You have problems, both large and small. but, they are your problems and the best person in the world to solve your problems is you. Others may help, but in the final solution, you must face the problem and do the necessary work. The same is true for prisoners. The counselor may help them, but they must solve their own problems.

Although many times the counselor recognizes and understands problem areas quickly, no valid help can be given until the prisoner with the problem understands the problem, realizes he is the major factor, and wants to do something about it. The prisoner who blames others for his problem ("My sergeant doesn't like me.") has not yet accepted the fact that, in most cases, he is the cause of confinement.

Change is the goal of counseling. A problem in attitude and behavior caused the prisoner to be delinquent and to be confined. Unless there is a change in his attitude and behavior, he will leave confinement with the same set of standards that caused his confinement. Only the prisoner can make a decision and bring about the changes necessary to enable him to fit in civilian or military society.

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LESSON 2

PRACTICE EXERCISE

The following items will test your grasp of the material covered in this lesson. There is only one correct answer for each item. When you complete the exercise, check your answer with the answer key that follows. If you answer any item incorrectly, study again that part of the lesson which contains the portion involved.

1. A prisoner has been extremely depressed since his arrival at the facility. He constantly makes comments that he is "no good" and has nothing to live for. His friends inform you that he often talks about killing himself. Which of the following is the best course of action for you to take?
 - A. Place the prisoner on detail to occupy his time.
 - B. Ignore him and the talk since the prisoner is only trying to gain attention.
 - C. Report the prisoner to your supervisor so that the proper medical attention can be given to the prisoner.
 - D. Order prisoner to stop talking about suicide since you know he is only bluffing.
2. Counseling helps the prisoner to do all the following EXCEPT:
 - A. have a better understanding of himself.
 - B. understand the environment.
 - C. make decisions for himself.
 - D. find someone to solve his problems.
3. In counseling, follow-up is used to:
 - A. let the counselor know if the program is successful.
 - B. let the prisoner know that the counselor is concerned.
 - C. show if the proper solution to the problem was reached.
 - D. all of the above.
4. The best person to solve a prisoner's problem is:
 - A. the prisoner.
 - B. his counselor.
 - C. a chaplain or civilian minister or priest.
 - D. a psychiatrist.

5. The job of a counselor includes all the following EXCEPT:
- A. a personal interest in the prisoner.
 - B. guidance.
 - C. establishing a rapport with a prisoner.
 - D. solving the prisoner's problems.
6. The counseling program of a facility can best be evaluated by:
- A. successful adjustment of the prisoner to society after release.
 - B. the number of disciplinary incidents.
 - C. the prisoner's adjustment to confinement.
 - D. percentile statistics in the area of punitive discharges.

LESSON 2

PRACTICE EXERCISE

ANSWER KEY AND FEEDBACK

<u>Item</u>	<u>Correct Answer and Feedback</u>
1. C.	Report the prisoner to your supervisor so that . . . Any time a corrections NCO . . . (page 2-4, para 1c(2)).
2. D.	Find someone to solve his problems. The job of the counselor is to . . . (page 2-18, para 5).
3. D.	All of the above. Follow up is necessary to . . . (page 2-14, para 4h).
4. A.	The prisoner. The key or critical step of . . . (page 2-13, para 4d).
5. D.	Solving the prisoner's problems. The job of a counselor . . . (page 2-18, para 5).
6. A.	Successful adjustment of the prisoner to society . . . The real success of the . . . (page 2-2, Introduction).

LESSON 3

CUSTODY AND CONTROL PROCEDURES

CRITICAL TASKS: 191-381-1292	191-382-2352
191-381-1302	191-382-2369
191-381-1304	191-382-2378
191-381-1305	191-383-3370
191-381-1306	191-383-3373
191-381-1315	191-383-3374
191-381-1316	191-383-3396
191-381-1317	191-384-4375
191-381-1319	191-384-4401
191-381-1322	191-384-4403
191-381-1323	191-384-4409
191-382-2347	191-385-0030
191-382-2348	

OVERVIEW

LESSON DESCRIPTION:

In this lesson you will learn how to maintain custody and control of military prisoners within a confinement facility.

TERMINAL LEARNING OBJECTIVE:

ACTION: Maintain custody and control of military prisoners.

CONDITION: You will have this subcourse, pencil, and paper.

STANDARD: To demonstrate competency of this task, you must achieve a minimum score of 70 percent on the final subcourse examination.

REFERENCES: The material contained in this lesson was derived from the following publications: AR 190-47 and FM 19-60,

INTRODUCTION

The Army correctional system's mission is accomplished by maintaining prisoners in custody and under control. Maintaining custody and control is the function of every confinement or correctional facility. Facility personnel achieve and maintain custody and control of prisoners by employing a number of custody measures.

To maintain custody, limits are placed on prisoners' freedom of movement. Custody is maintained within a facility by the presence of guards, walls, fences, protective lights, alarms, and locking devices. Custody of prisoners who have been designated as installation parolees is maintained by the conditions placed on their parole agreement.

To maintain control, limits are placed on prisoners' actions and behaviors. Control is invoked by the correctional staff's insistence on order and military discipline among the prisoners. Control is sustained by carrying out a system of routines in the daily lives of the prisoners. For example, prisoners are routinely required to provide a daily display of their clothing, equipment, and health and comfort supplies. Control is reflected in the disciplined appearance, bearing, and conduct of the prisoners and by their prompt obedience to rules, regulations, and orders.

1. Custody Grades.

The degree of custodial supervision for individual prisoners will be based upon a review of all available records pertaining to the prisoner and recommendations of correctional supervisors and professional services support personnel. Classification of prisoners to the minimum custody grade, consistent with sound custodial requirements, will be stressed. Custody classifications will function independently of correctional treatment evaluation. A prisoner's custody grade may be changed at any time; reclassification is based on continual observation and evaluation.

a. Installation Parolee.

Those prisoners considered to require no custodial supervision may be designated as parolees. Prisoners in this category will be required to execute parolee agreements. Parolees will be permitted to work and train within specified limits of the reservation without guards or supervisors. Where practicable, provisions will be made to billet them outside the fenced area.

b. Minimum Custody.

Those prisoners considered to require little custodial supervision will be placed in the minimum custody grade and will be employed or trained outside the confinement facility

under unarmed supervisors. Minimum custody prisoners are quartered in the less secure housing units within the facility.

c. Medium Custody.

Those prisoners considered to require continuous custodial supervision but whose conduct is not considered to present threat to life, limb, or property will be placed in the medium custody grade. Prisoners so classified will be under unarmed supervisors when employed outside the confinement facility. Under such conditions, prisoners will be employed in a ratio of not more than three prisoners to one supervisor. Medium custody prisoners are quartered within the facility in secured quarters.

d. Maximum Custody.

Prisoners under sentence of death and those prisoners considered to require special custodial controls because of a dangerous, violent, or troublemaking nature, will be placed in maximum custody grades. Escape risk prisoners will also be placed in the maximum custody grade. Prisoners so classified will be employed only inside the confinement facility.

e. Segregation.

Sometimes specific prisoners must be separated from the larger population for more intense custodial supervision. Facility commanders may authorize the segregation of prisoners whether individually or by groups. Such segregation may be done for the good of the segregated prisoner or for the good of the larger population. Officer prisoners will be segregated from other prisoners unless segregation is waived by the individual. A detained prisoner (pretrial) will be segregated from all post-trial prisoners. Maximum custody prisoners will be segregated from minimum and medium custody prisoners.

2. Control Measures.

a. The facility commander is authorized to restrict the movement and actions of prisoners and to take such other measures as are necessary to maintain control of prisoners, to protect the safety and welfare of prisoners and others, and to ensure the orderly administration of the facility. In making changes to existing routines and procedures, facility personnel shall take care to avoid changes which are likely to seriously affect morale or result in group disturbances and other serious incidents among prisoners. All reported infractions of institutional rules and violations of the Uniform Code of Military Justice (UCMJ) will be properly investigated.

b. The confinement officer or his authorized representative will conduct roll call at a morning formation prior to breakfast. Head count will be made immediately upon the return of all prisoners from work details and at noon formations. Roll call will also be made at the

evening formation. A bed check will be made between taps and midnight and once again between midnight and reveille. The presence of prisoners in the confinement facility is assured by the various counts and roll calls.

c. Unscheduled and unannounced shakedown searches will be made of prisoners and places where prisoners work or are quartered. Searches will be made of all buildings within the facility. Care should be exercised in the conduct of shakedowns and searches to prevent undue disturbance of the prisoner's quarters or damage to personal effects.

d. At times it is necessary to permit individual prisoners to move throughout the confinement facility without guard escort. Whenever a confinement facility has a large number of prisoners and the physical layout requires it, the correctional officer may establish and control an intrafacility pass system, permitting prisoners to move to interviews, visits, examinations, and other authorized places without a guard escort but under control.

(1) A prisoner will receive a pass from the starting place and will carry it to and from his appointment. The pass will be checked by guards as the prisoner enters and leaves any doors or compounds to ascertain that he is en route to an approved destination. Should the prisoner not return from an appointment within a reasonable time, the person initiating the pass should immediately notify the correctional supervisor on duty.

(2) Mass or group movement of prisoners to and from work, the dining facility, recreation area, and so forth will be orderly, punctual, and well supervised in a military formation. Disorganized, straggled, and poorly supervised movement encourages low morale and constitutes custody hazards. Methods of proper control movement may vary according to the physical layout of the confinement facility and the availability of personnel.

e. Cleaning supplies will be stored under lock and key and issued only to designated prisoners. They will be used under the direct supervision of custodial personnel.

f. Tools will be issued each day on a check-out and check-in record. Kitchen knives, cleavers, and similar kitchen equipment will be locked in a secure container when not in use. Supervisors will be responsible for the accountability of such items.

g. Many flavoring extracts contain alcohol and alcoholic concoctions can be brewed from sugar, yeast, and many dried and fresh fruits and vegetables. Dining facility and custodial personnel will maintain close and constant supervision to prevent the theft of such items and subsequent conversion to intoxicants.

h. Precautions will be taken to prevent prisoners from converting equipment into weapons or escape tools. Equipment which is potentially dangerous will be eliminated from the confinement facility or modified with the concurrence of the responsible supply agency.

For example, adapters for double-decking beds which could be used as clubs should be spot welded to prevent disassembly from the beds.

3. Prohibited Practices.

Cruel or unusual punishments like wearing a ball and chain or being tattooed or flogged have no place in Army discipline. Prisoners are not disciplined by being deprived of medical aid, food, clothing, shelter, or the opportunity for personal hygiene equal to that of their fellow prisoner. Nor are they disciplined by being subject to physical or emotional stress or even make-work labor. Such disciplinary measures are prohibited in the Army correctional system. Dogs will not be used to guard prisoners at a confinement facility or at an employment site. Riot control agent (CS) is the only chemical agent authorized for use. Electrically charged fences are strictly forbidden as is the use of automatic weapons in towers or on work details.

4. Physical Security Duties.

a. The Office of the Chief of Engineers (OCE) is responsible for determining standards for locking devices which meet the requirements of the Law Enforcement Division. In combustible buildings used for the confinement of prisoners, manually operated limited gang locking devices will be installed on each line of three or more cells. (A gang locking device permits the simultaneous opening or closing of all cell doors on the "line.") In noncombustible buildings, manually operated selective gang locking devices will be installed on each line of six or more cells. (A selective gang locking device permits the opening and closing of all cells simultaneously on the "line" but also permits the opening and closing of single cells individually.)

(1) Before a new correctional supervisor assumes duties in any cell block area, he should familiarize himself with the operation of the gang locking devices being used.

(2) Exit and corridor doors in confinement facilities which are not connected with gang locking devices will be fitted with heavy prison-type locks. Ordinary locks, asylum or hospital deadlocks, padlocks, and other lightweight locks in the builder hardware class are not authorized for installation on the doors to cells used for the confinement of military prisoners.

(3) Locks will be keyed so the key for the individual cells will not open cell block doors or any exterior doors. All keys, of course, must be properly secured or in the possession of an authorized person.

(4) In addition to exterior fencing around the facility, interior fencing may be used to secure maximum custody areas, dining facility areas, supply rooms, and other critical areas which require added security measures.

b. The intercommunication system in a cellblock area should be tested to ensure it is operable. Lights, light switches, and emergency lighting should also be tested. Bars should be inspected to ensure they are secured. Keys and the key control roster should be inspected for accountability. All fixtures should be permanently attached within the cellblock. Also, ensure that doors and gates lock from both sides and that electrically-operated locks cannot be pushed back by hand. Door frames should not be loose; key slots should be free of debris. An emergency power generator will be provided and located, when possible, outside the perimeter fence. A weekly test of the generator will be made a matter of record in the daily blotter.

5. Basic Correctional Duties.

a. Use of Force.

(1) Instructions on the use of force will be incorporated in orders, plans, standing operating procedures (SOPs), and training at all Army confinement and correctional facilities. Only such force will be employed as is reasonably necessary under all attendant circumstances. The use of firearms or other means of deadly force is justified only under conditions of extreme necessity as a last resort.

(2) No person will use physical force against a prisoner except in self-defense, to prevent an escape, to prevent injury to persons or damage to property, to quell a disturbance, or as authorized in appropriate regulations. In controlling or moving an unruly prisoner, sufficient resistance without the necessity of strong-arm tactics associated with man-to-man confrontation. In those instances where a male prisoner refuses to comply with haircut or shave standards or a female prisoner fails to comply with hair length or style standards, the prisoner may be restrained and reasonable force used as necessary to administer an appropriate haircut or shave. Whenever it is necessary to use reasonable and necessary force for this purpose, the following procedures will be used:

- A properly licensed barber (or in the case of female prisoners, beautician) as established by the Army and Air Force Exchange System, will be used if available. If no exchange barber or beautician is available, hair cutting or shaves may be administered by a senior correctional supervisor. Senior female correctional NCOs will be used when hair cutting for female prisoners is required.
- The confinement or correctional facility commander must approve the action.
- An officer or senior noncommissioned officer from the facility will be designated to witness this action.

- The haircut or shave will be administered away from the general prisoner population.
- Electric hair clippers and shavers will be used exclusively.
- An entry will be made on DA Form 3997 (Military Police Desk Blotter) to record action taken as authorized above.
- Physical force will not be used to force compliance with rules or regulations other than circumstances set forth in this paragraph.

b. Priorities of Force.

You must determine the level of force needed for a particular situation and apply it in the order of priority. (You should begin with the lowest level of force and move to the next higher level only when the lower level has failed and more force is needed to control the situation.) However, a higher level of force may, if needed, be used without first using a lower level.

- Verbal persuasion.
- Show of force.
- Chemical aerosol irritant projectors (IAW local and host nation restrictions).
- Use of physical force other than weapons fire.
- Presentation of deadly force capability.
- Deadly force.

c. Use of Firearms.

To prevent an escape from a confinement or correctional facility, the following instructions concerning the use of weapons will be incorporated in the order of armed guards:

- Each guard will be provided with a whistle or other means of suitable alarm.
- The use of firearms to prevent an escape is justified only when there is no other reasonable means to prevent escape.

- In the event a prisoner attempts to escape from the facility, the guard will take action according to the following priorities:
 - Alert other guard personnel of the attempted escape by blowing three short blasts on a whistle or any other audible alarm signal.
 - In a loud voice, twice order the prisoner to halt.
 - Fire only at such time as the prisoner has passed all barriers of the facility, is approximately 20 meters from your position, and is continuing the attempt to escape.
- Location of barriers will be determined by the physical arrangement of each facility. Normally, this will include barriers such as fences or walls enclosing athletic, drill, and recreational areas; prisoner housing areas; and areas in which administrative buildings are located.
- A guard will not fire on an escapee if the fire will endanger the lives of other prisoners.
- When necessary to fire, the guard will direct shots at the prisoner which are aimed to disable rather than to kill.
- Instructions for the use of firearms by guards escorting prisoners outside the facility are generally the same as for the use of firearms at the facility proper.

d. Use of Weapons.

Guards must be thoroughly trained in the use of the weapon with which they are armed. Conditions in the area where the prisoners are to be under guard will dictate the type weapon carried.

The .45-caliber pistol, .38 revolver, or 9-millimeter pistol may be used when prisoners are under escort. Only 12-gauge shotguns with cylinder (unchoked) barrels will be issued for the use of guards at Army confinement and correctional facilities. Barrels will not exceed 20 inches in length.

Authorized ammunition for guards armed with shotguns (perimeter and tower guards) is number 9 shot in trap loads of 2 3/4 grams equivalent of powder and 1 1/8 ounces of shot. Number 4 buckshot ammunition may be used by tower guards at the USDB.

Rifles, machineguns, and submachine guns will not be used to guard military prisoners. Weapons will not be taken inside the controlled area of the confinement facility

except at the expressed direction of the facility commander. Weapons are not authorized for use on employment details.

6. Hospital Guard Duties.

a. General.

The commanders of medical treatment facilities will designate an area within the medical treatment facility which is appropriate for the medical care and treatment of hospitalized prisoner patients. The following policies apply to the custody and control of hospitalized military prisoners.

Hospitalized prisoners who are not considered escape risks or dangerous or who are not in maximum custody (USDB) do not require armed guards while hospitalized. But they will be closely supervised by specific staff personnel. The patients will be subject to all requirements concerning custody and control, correctional treatment, and prisoner personal property and funds.

Prisoners in maximum custody grade (USDB), or otherwise considered dangerous or escape risks, require guards at all times while hospitalized. The installation commander will be responsible for policies and procedures concerning the custody and control of hospitalized prisoners. The medical treatment facility commander will be responsible for policies concerning their medical treatment and care.

Psychiatric prisoner patients require treatment within an environment where they may freely participate in a therapeutic surrounding conducive to the treatment process.

b. Hospitalized Prisoner Ward

The commanders of medical treatment facilities where a hospitalized prisoner ward has been established will, where practicable, provide medical care and treatment to hospitalized prisoner patients. The following policies apply to the operation of a hospitalized prisoner ward:

- No person, other than a military prisoner, will be placed in a hospitalized prisoner ward.
- Hospitalized prisoner wards may not be used as military police detention facilities.
- The installation commander has responsibility for prisoner custody and control. The medical treatment facility commander has responsibility for the medical care and treatment of prisoners.

- Hospitalized prisoner wards may not be used for the temporary restraint, control, detention, or custody of patients who have not been properly admitted to the hospitalized prisoner ward.

c. Medication

Medical examinations and treatment usually require the use of instruments and medications that are hazardous to custody and control. Medications and equipment should be secured when not in use. They should be inventoried frequently. If the facility does not have a dispensary, medications prescribed for prisoners should be kept in a centrally located, locked container.

Corrections NCOs usually dispense medications to prisoners in the cellblock. They supervise the ingestion or application of medications. Prescription medicines, however, are best dispensed by qualified medical personnel whenever possible. The corrections NCOs also are responsible for accurately maintaining the medication issue register.

Prisoners receive the same dental care as other soldiers. When medication is prescribed for dental problems, the same precautions used to administer and store other medications apply.

The corrections NCOs responsible for the issue of medications must ensure that each prisoner is given only the type and amount of medication prescribed for him and that the medication is used as directed.

7. Dining Facility Guard Duties.

When properly operated, the prisoner dining facility is a valuable aid to the correctional treatment program. Otherwise, it may be a source of discontentment or disorder and may constitute a hazard to custody and control. Separate dining facilities are desirable. However, if that is impossible, arrangements may be made to feed prisoners in troop dining halls near the facility. When prisoners eat at nearby dining facilities, supervisors will ensure that--

- Prisoners are seated in a group.
- Prisoners are separated from other troops, preferably by partitions.
- If arrangements can be made, prisoners should be fed before or after other troops.
- Prisoners are dressed uniformly and are marched in a military manner while going to and from the dining facility.

- Aisles between rows of tables are wide enough so you can move about without danger of being jostled by prisoners.
- Sufficient guards are provided for adequate control of prisoners going to and from the dining facility and while they are in the dining facility.
- A traffic plan is initiated which provides for the orderly and expeditious movement of prisoners within the dining facility. It should include progressive seating from the front to the rear of the dining facility. The plan should preclude conflicting traffic and the congregation of large groups.
- Prisoners are not permitted to carry food out of the dining facility.
- Silverware is inspected and the pieces counted before and after meals prior to dismissing the prisoners from their tables.
- Each prisoner is frisk searched before leaving the dining facility to ensure no one leaves the area with unauthorized items.

8. Cellblock Guard Duties.

a. Schedule of Calls

A schedule of calls (Figure 3-1) is a list of events for a typical day at a confinement facility. A cellblock guard or corrections NCO would be required to respond to each call by taking certain actions. An example of the response required is as follows:

- First Call. Turn on the lights, wake up the prisoners, and make sure they get out of bed.
- Shave Call and Latrine Call. Tell prisoners to gather their toilet articles and go to the latrine. Watch them closely while they shave, get dressed, and prepare for inspection.
- Morning and Evening Formation. Escort your prisoners outside for roll call and inspection.
- Physical Training. Observe the prisoners to make sure they are taking part in the exercises. The exercises will normally be conducted by the supervisor.

- Medication Call. Help the supervisor give medicine to prisoners for whom it is prescribed. You may be asked to inspect each prisoner's mouth to make sure the medicine was swallowed.
- Mess Call. March the prisoners in formation to the dining facility for meals. Help control prisoners during the meal.
- Police Call. Help control and supervise prisoners while prisoners perform police call.
- Sick Call. Move prisoners who ask to go on sick call to and from the dispensary.
- Morning Work Call. Assist in the work call formation as directed by your supervisor.
- Noon Work Call. Make a head count of prisoners assigned to your cellblock. Assist in work call as directed by supervisor.
- Recall. Take a head count of all prisoners assigned to your cellblock when they return from work details, appointments, or other activities.
- Shower Call. Have prisoners get their toilet articles and proceed to the shower facilities. Watch them closely.
- Lights Out. Ensure all prisoners are in their assigned bunks.

b. Daily Inspections.

On a daily basis, prisoner areas and cellblocks are inspected by compound and cellblock guards using the following guidelines:

- Latrine and living areas are inspected for proper sanitation, adequate heat and ventilation, and unsafe conditions and safety violations. Cleaning equipment must be properly stored.
- All areas are searched for contraband.
- Prisoner displays, uniforms, and health and comfort items are inspected in accordance with current Army regulations and the facility commander's guidelines.

<u>CALL</u>	<u>MON-FRI</u>	<u>SAT</u>	<u>SUN/HOLIDAYS</u>
First Call	0500	0600	0600
Shave/Latrine Call	0500	0600	0600
Morning Formation (Roll Call)	0520	0620	0620
Physical Training	0530	0630	----
Medication Call	0600	0700	0700
Mess Call	0600	0700	0700
Police Call	0645	0745	0745
Work Call	0700	----	----
Sick Call	0700	0800	0800
Protestant Services	----	----	0900
Catholic, Jewish/Other Services	----	----	As Scheduled
Haircuts	----	0900	----
Recreation Call	----	0930	----
Recall (Head Count)	1045	1050	1050
Medication Call	1055	1055	1055
Mess Call	1100	1100	1100
Noonday/Work Call (Head Count)	1230	----	----
Recreation Call	----	1230	1230
Visitors Call	----	1300	1300
Recall (Headcount)	1630	----	----
Evening Formation (Roll Call)	1700	1700	1700
Medication Call	1730	1730	1730
Mess Call	1730	1730	1730
Recreation Call	1830	1830	1830
Shower Call	2000	2000	2000
Medication Call	2045	2045	2045
Lights Out	2100	2100	2100

Figure 3-1. Example of Schedule of Calls.

c. Shakedown Inspections

Unscheduled and unannounced shakedown inspections will be made of cellblocks, prisoners, and places where prisoners work. A record will be made of all shakedown inspections and the results. The following steps are guidelines to illustrate how a shakedown inspection should be conducted:

- **Cellblock.** Prisoners are removed from the cellblock. An effort should be made to not disturb or damage a prisoner's quarters or personal effects more than necessary. When the shakedown inspection has been completed, neatly replace all items that had been moved. Search the bunks, bunk displays, and clothing and equipment. The mattress and cover, pillow and pillowcase, and other bedding should be inspected along with the bunk or cot. Examine health and comfort items such as toothpaste, shaving cream, soap and dish, writing materials, and books. Do not read the prisoner's mail. However, it may be searched for unauthorized material.
- **Common Area.** Systematically and thoroughly search the common area working in a clockwise manner looking for unauthorized or contraband items. Examine doors, doorframes, seals, jambs, and locks. Check crevices in walls and ceilings, inspect lighting, heating and plumbing fixtures, and areas behind baseboards and moldings. Also, examine windows, frames, seals and behind sashes.

Upon completion of the shakedown inspection, and before the prisoners are allowed back into the cellblock or the common area, conduct a strip search of the prisoners. Any contraband or unauthorized articles will be seized and an Observation or Disciplinary Report filed.

d. Control Materials and Supplies.

In addition to all the other duties and responsibilities of a cellblock guard, he must also control and account for all materials and supplies located within his area of responsibility. Only authorized materials and supplies are allowed in the cellblock and must be properly accounted for on the facility checklist. A physical count of all janitorial equipment must be made upon assuming duties. Any new items received are added to the inventory and any items used during his tour of duty are subtracted. The guard must ensure that workmen and other persons take their tools, materials including all scrap materials, and supplies with them when they leave.

e. Control Personnel Entry and Exit.

To maintain proper control in a confinement facility, only authorized persons are allowed in a cellblock area. It is the cellblock guard's duty to screen all persons attempting entry to the cellblock area and allow entry to only those persons authorized. Authorized persons include the facility commander, chaplain, prisoner's attorney, medical officer or his representative, official visitors if they are escorted, and prisoners assigned to the cellblock with the permission of the cellblock guard.

Unauthorized persons will be denied entry to the cellblock area. Examples of unauthorized persons are prisoners not assigned to the cellblock, unescorted official visitors, unofficial visitors, and prisoners assigned to the cellblock but who do not have the permission of the cellblock guard to enter.

If the confinement facility uses a pass system to allow prisoners to move from one point to another without an escort or guard, entry to a cellblock will be granted if the prisoner possesses a valid pass authorizing him to enter the cellblock area. Each person releasing, receiving, or passing a prisoner through gates or doors outside the prisoner's immediate quarters or work area will record such action in ink on the pass, including the time, place, rank, and last name of the guard on duty. Used passes will then be collected when the prisoner returns to the place of issue.

9. Tower Guard Duties.

Tower guards will observe specific sectors of the perimeter and the grass inside and outside the facility. They will also observe other areas within their range of vision even though the areas may be in another guard's sector. They will remain alert for unusual activities and will report all violations of rules and regulations.

Tower guards are armed with 12-gage shotguns and must thoroughly understand the policy on the use of force and deadly force.

Tower guards will keep prisoners away from the perimeter fence and prevent anyone from communicating with prisoners near the perimeter fence. They will make sure articles are not handed or thrown to prisoners.

Tower guards are alert to escape situations and will take appropriate action to stop any escape attempt. Tower guards will also provide protection for the compound guards who are in constant contact with the prisoners. Other guards are alerted to escape situations and appropriate action is taken to stop any escape attempt.

10. Main Gate and Sally Port Guard Duties.

Main gate and sally port guards are responsible for the custody and control of prisoners entering and leaving the facility. They will keep the gate keys in their possession at all times

while on post. They ensure that only authorized persons enter the facility. They will identify people who want to enter or leave by the gate before allowing them to pass. They will inspect vehicles entering and leaving the facility and check packages and receptacles. The guards will keep a record of people and vehicles that enter and leave by the gate. They check civilian workers in and out through the gate, exercising caution. The guards will inventory and make a record of the workers' tools when they enter. They will inventory the tools again when the workers leave. They will search prisoners when they enter and leave the facility. They will also prevent loitering near the entrance of the facility.

a. Control Vehicle Entry and Exit.

Each confinement facility will have a SOP relating to the duties and responsibilities of the sally port guard. However, as a minimum, the guard will require identification of the driver and make inquiries concerning the reason for wanting to enter the facility. The guard should record the driver's name, license number, and type of vehicle on the vehicle register form. The guard should instruct the driver to exit the vehicle while the vehicle is searched. The driver should accompany the guard while the search is being conducted. The contents of the vehicle should be inventoried and an escort provided for the driver. As the vehicle leaves the facility it is again searched and re-inventoried. The vehicle departure time is then noted on the vehicle register form.

b. Control Personnel Entry and Exit.

As with vehicles in the preceding paragraph, an SOP will dictate policy regarding personnel entry to and exit from a facility. The standard policy does, however, require the sally port guard to challenge each person requesting entry to the facility. A staff member, while on duty and wearing his badge, will be allowed to enter or leave without delay. Any other person must provide an identification card or driver's license and provide the necessary information for the personnel register. Any items not needed inside the facility, and all weapons, will be secured at the sally port. If used at the facility, an identification badge will be issued and an escort provided. Departing personnel will complete the "time out" block of the personnel register and turn in their badge, if issued. (Vehicle and personnel registration forms will be locally produced.)

c. Control Packages and Materials.

The sally port guard will check all packages being brought into the facility. If the item is not needed inside, it will be secured in a locker at the sally port. Any item taken inside the facility will be examined and inventoried upon initial entry to and re-inventoried upon leaving the facility. Any property being removed from the facility must be accompanied with a valid memorandum signed by the confinement officer. An entry should be made on the vehicle or personnel registration form identifying the property that was removed from the facility. Any property left at the sally port will then be returned to the owner upon his departure and sign-out from the facility. If the sally port guard was responsible for any property left in his possession while a visitor was inside the facility, a receipt should be obtained when the property is returned.

1. Supervisory Guard Duties.

a. Supervising Work Activities.

(1) Employment detail guards supervise prisoner work details inside and outside the confinement facility. They maintain custody and control of work details and move work details to and from employment areas. Upon receiving an assignment to supervise a work detail, the guard must obtain all the necessary information and equipment to perform and organize the detail, maintain control and accountability of prisoners throughout the detail, and report all incidents.

(2) Guards must establish the availability of equipment and materials and obtain the names and status of the prisoners assigned to the detail. They obtain any information that will assist in assigning the prisoners to jobs and in maintaining custody and control. Guards should organize the work detail by first identifying each prisoner so a face can be matched to a name. Separate the prisoners by prisoner status (officer, NCO, detained, adjudged). Guards should assign duties to each prisoner with specific instructions on what is expected of him. They should have the prisoner sign for any equipment or materials needed to complete the job.

(3) Guards should ensure that a prisoner is not assigned as a supervisor over another prisoner. Guards should not assign duties that are degrading or as a means of punishing or harassing a prisoner, but should assign the workload evenly according to prisoner's status.

To maintain accountability and control of the work detail, supervisory guards must make periodic head counts, watch for safety hazards, and give rest breaks during the day. Upon completion of the work assignment, a head count must be made and all tools, equipment, and unused materials turned in.

b. Preparing Observation and Disciplinary Reports.

(1) The imposition of disciplinary measures often begins with a disciplinary report written by a corrections NCO. A disciplinary report is written in an objective manner. It presents a detailed summary of an incident in which a prisoner violates discipline. It addresses the pertinent facts of who, what, where, when, and how.

(2) When a facility commander receives a disciplinary report on a prisoner he has several options at his disposal. He may reduce the report to a memorandum of record. He can refer the prisoner for counseling. He may refer the case to a discipline and adjustment board. Or he may recommend action under the UCMJ.

(3) A corrections NCO must be thoroughly familiar with the facility rules, Army regulations, the UCMJ, and the confinement facility SOP. If any violations are observed, a written report is required. A written report is also required if a change, for better or worse, is observed in a prisoner's behavior, or if he is unable to adjust to his surroundings. (Observation Reports are an important part of the prisoner's treatment file. They give counselors a good idea about the prisoner's progress during confinement.)

Examples of locally produced Observation and Disciplinary Reports are included in this lesson as Figures 3-2 through 3-5.

2. Close Confinement Guard Duties.

a. Administrative Segregation.

Prisoners may be placed in administrative segregation for a number of reasons. They may be segregated as a protective measure or for medical reasons. Or they may be segregated because of homosexual behavior or to await the results of an investigation. The facility commander (FC) may authorize placing a prisoner in administrative segregation (AS). This authority may be delegated by the FC during non-duty hours to a senior noncommissioned officer. The installation commander (IC) may authorized placing a prisoner in disciplinary segregation (DS).

Segregated prisoners are placed in close confinement. Prisoners in close confinement are subject to increased supervision. They are escorted whenever they must leave their cells. They are quartered in cells especially set aside for this purpose. Close confinement quarters must be adequately lighted, heated, and ventilated. The quarters must measure at least 6 feet wide, 8 feet long, and 8 feet high. Solid doors are used only when they are needed to keep noisy prisoners from disturbing others. Sleeping accommodations are elevated from the floor.

Administratively segregated prisoners usually are allowed the same food and privileges as prisoners who are not in close confinement. But modifications may be required by considerations of health, welfare, control, and availability of facilities. Prisoners in close confinement are allowed the same amount of clothing as other prisoners. They are allowed sufficient covers for warmth during sleeping hours. They may have a Bible or other religious book appropriate to their faith. But a segregated prisoner might be deprived of his bedding or clothing if the facility commander placed the prisoner in close confinement because of the prisoner's suicidal intent. In such cases, the clothes would be removed to prevent injury.

Prisoners placed in administrative segregation may be kept in close confinement either 24 hours a day or only at night. They must receive at least 30 minutes of exercise daily. They may be used on employment projects if such work is consistent with control procedures and the purpose of their segregation.

<u>REPORT OF OBSERVATION/DISCIPLINARY INFRACTION</u>				
TO: CORRECTIONAL OFFICER			DATE: 20 MARCH 1999	
<input checked="" type="checkbox"/> REPORT OF OBSERVATION <input type="checkbox"/> REPORT OF DISCIPLINARY INFRACTION				
LAST NAME – FIRST NAME – MIDDLE INITIAL: BROWN, LOUIS J.				
DEPT OF MILITARY SERVICE: U.S. ARMY	STATUS: <input type="checkbox"/> OFF <input checked="" type="checkbox"/> DET <input type="checkbox"/> CAS <input type="checkbox"/> ADJ <input type="checkbox"/> SENT		CELL # B-2 CELLBLOCK B	
<p>1. OBSERVATION/INCIDENT (Use reverse side if necessary) SUMMARY: (Give all details of observation/incident to include date & time)</p> <p><u>At approximately 1815, 20 March 1999, I PFC Johnson, observed prisoner Brown sitting on a bench near the basketball court with his head down, crying. When I questioned Brown, he replied that he had received a "Dear John" letter, and that his wife had moved in with another man. He stated that he had to get home to save his marriage I escorted Brown to the shift correctional supervisor.</u></p> <p>_____</p> <p>_____</p>				
2. REPORTED BY: NAME: Johnson, Lee W.	RANK: PFC	SSAN: 350-70-9393	UNIT: 43 rd MP DET	SIGNATURE: LEE W. JOHNSON
ASSIGNED DUTY: B Block Guard			LOCATION OF OBSERVATION/INCIDENT: Recreation Yard	
3. WITNESSES: (Name, rank, SSAN, unit)				
<p>4. WAS THE PRISONER INFORMED OF THIS REPORT?</p> <p style="text-align: right;"><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>				

Figure 3-2. Example of Observation Report (front).


5.	ACTION TAKEN BY CORRECTIONAL PERSONNEL:	<u>Prisoner Brown's counselor was notified at 1830hrs, 20 March 1999</u> <hr/> <hr/> <hr/>
6.	RECOMMENDATION OF SHIFT CORRECTIONAL SUPERVISOR:	Refer for Counseling <div style="text-align: right;"> <u>SSG Anthony Simmons</u> Signature </div>
7.	RECOMMENDATION OF CHIEF CORRECTIONAL SUPERVISOR:	<div style="text-align: right;"> <u>SFC Jonathan O. Godwin</u> Signature </div>
8.	REMARKS OF SENIOR CORRECTIONAL NCO:	Appointment made with Chaplain Johnson <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 20%;">  </div> <div style="width: 40%;">Counselor notified</div> <div style="width: 40%; text-align: right;"> <u>MSG Charles T. Walker</u> Signature </div> </div>
9.	RESULTS OF DISCIPLINARY AND ADJUSTMENT BOARD:	<div style="text-align: right;"> <hr style="width: 20%; margin-left: auto;"/> Signature </div>
10.	ACTION TAKEN/RECOMMENDED BY CORRECTIONAL OFFICER:	<div style="text-align: right;"> <hr style="width: 20%; margin-left: auto;"/> Signature </div>
11.	CONTINUATION: (To be used for continuation of items 1 thru 11 as required) <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	

Figure 3-3. Example of Observation Report (back).

<u>REPORT OF OBSERVATION/DISCIPLINARY INFRACTION</u>				
TO: CORRECTIONAL OFFICER			DATE: 10 MARCH 1999	
<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> REPORT OF OBSERVATION <input checked="" type="checkbox"/> REPORT OF DISCIPLINARY INFRACTION </div> </div>				
LAST NAME – FIRST NAME – MIDDLE INITIAL: LONG, JOSEPH T.				
DEPT OF MILITARY SERVICE: U.S. ARMY	STATUS: <input type="checkbox"/> OFF <input type="checkbox"/> DET <input type="checkbox"/> CAS <input checked="" type="checkbox"/> ADJ <input type="checkbox"/> SENT		CELL # <u>C-3</u> CELLBLOCK <u>C</u>	
1. OBSERVATION/INCIDENT (Use reverse side if necessary) SUMMARY: (Give all details of observation/incident to include date & time) <u>At approximately 0630, 10 March 1999, prisoner Long refused to get out of bed after</u> <u>being told to do so. Prisoner Long stated, "I'am not going to get up. I'am no longer</u> <u>in the Army and I'am sleeping in today". Prisoner Long did not seem to be excited</u> <u>or depressed. I reported this incident to my supervisor.</u> <hr/> <hr/> <hr/>				
2. REPORTED BY: NAME: Jones, John T.		RANK: SGT	SSAN: 041-00-8383	UNIT: 249th MP DET
SIGNATURE: JOHN T. JONES		ASSIGNED DUTY: C Block Guard		
LOCATION OF OBSERVATION/INCIDENT: Cell C-3				
3. WITNESSES: (Name, rank, SSAN, unit) Lee, John R., PFC, 612-13-4010, 249TH MP DET				

<p>4. WAS THE PRISONER INFORMED OF THIS REPORT?</p> <p style="text-align: right;"> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO </p>
--

Figure 3-4. Example of Disciplinary Report (front).

<p>5. ACTION TAKEN BY CORRECTIONAL PERSONNEL:</p> <p style="text-align: center;"><u>Prisoner Long escorted to the shift correctional supervisor</u></p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>6. RECOMMENDATION OF SHIFT CORRECTIONAL SUPERVISOR:</p> <p>Recommend disciplinary action</p> <p style="text-align: right;"><u>SSG Anthony Simmons</u> Signature</p>
<p>7. RECOMMENDATION OF CHIEF CORRECTIONAL SUPERVISOR:</p> <p style="text-align: right;"><u>SFC Jonathan O. Godwin</u> Signature</p> <p>Recommend disciplinary action</p>
<p>8. REMARKS OF SENIOR CORRECTIONAL NCO:</p> <p>Refer to D & A board</p> <p style="text-align: center;">Counselor notified</p> <p style="text-align: right;"><u>MSG Charles T. Walker</u> Signature</p>
<p>9. RESULTS OF DISCIPLINARY AND ADJUSTMENT BOARD:</p> <p>0930, 11 March 1999- Prisoner 1st offense. Recommend verbal reprimand.</p> <p style="text-align: right;"><u>James Johnson, 1LT, MPC</u> Signature</p>
<p>10. ACTION TAKEN/RECOMMENDED BY CORRECTIONAL OFFICER:</p> <p>Prisoner Long reported to the correctional officer at 1030hrs 11 March 1999. He was verbally reprimanded and told that the punishment would be more severe, if he violate facility rules again.</p> <p style="text-align: right;"><u>Raymond Smith, CPT, MPC</u> Signature</p>

11.	CONTINUATION: (To be used for continuation of items 1 thru 11 as required)
<hr/>	
<hr/>	
<hr/>	
<hr/>	
<hr/>	
<hr/>	

Figure 3-5. Example of Disciplinary Report (back)

A corrections NCO must check each prisoner in close confinement to ensure he is all right. He must watch for burned out lights, clogged toilets, and other conditions which may create a hazard to the prisoner's health. He must also watch for any contraband or unauthorized items the prisoner may have. Some of the things which are allowed for other prisoners may not be allowed for prisoners in close confinement. The close confinement squad will escort authorized persons within the cell block area of close confinement.

b. Use of DD Form 509 (Inspection Record of Prisoner in Segregation).

(1) A DD Form 509 (See Figure 3-6) will be maintained on every prisoner in disciplinary segregation (DS), every suicide risk, and other prisoners in administrative segregation (AS) as the facility commander directs. A DD Form 509 will be posted outside the cell of every prisoner which requires one. Pertinent information on the DD Form 509 will provide the corrections NCO with the proper guidance in the supervision of the prisoner. As an example, the facility commander may require the corrections NCO to check a prisoner every 30 minutes. This requirement would be indicated on the DD Form 509 and the corrections NCO would be required to initial the report each time a check was made on the prisoner.

(2) The importance of the DD Form 509 may also be illustrated by using another example. In a situation in which the corrections NCO has been instructed to take a particular DS prisoner for shower and shave call, the corrections NCO will review the DD Form 509 for any special instructions and ensure the prisoner has all the items he needs while in the latrine. The prisoner is escorted to the latrine and closely watched as he showers and shaves. Items not allowed in the cell will be collected and the prisoner escorted back to his cell. The items previously collected from the prisoner will be secured in a locked container or disposed of in accordance with current policy.

c. Use of the Straitjacket.

In controlling or moving an unruly prisoner, sufficient custodial personnel should be used to overcome the individual's resistance without the necessity of strong-arm tactics associated with man-to-man confrontation. For example, in a situation when a male prisoner refuses to comply with haircut or shave standards or a female prisoner refuses to comply with hair length or style standards, the prisoner may be restrained and reasonable force used, as necessary, to administer an appropriate haircut or shave.

(1) A straitjacket is used only under the most drastic conditions. Always remember that its use is temporary and the individual in the straitjacket is not completely helpless. At least five corrections personnel are required to put the straitjacket on a prisoner- one to put the straitjacket on the prisoner and four to control the prisoner (one person on each arm and leg).

FORM 509
1 JUL 70

•U.S. Government Printing Office: 1990-261-871/1142

D. E. 3

Figure 3-6. Example of DD Form 509

(2) The straitjacket must be inspected for worn areas, weak straps, tears, and overall acceptable serviceability. After the inspection, approach the suicide risk or intractable prisoner with extreme caution, continually reasoning with the prisoner as you approach from the front. The other corrections personnel approach from the sides and rear. (If possible, modify the approach to fit the situation.)

(3) Immobilize the prisoner using the minimum force necessary so that the prisoner is not a threat to himself or others. Each of the assisting corrections personnel will grasp one of the prisoner's arms or legs while the fifth person applies the jacket.

- Face the prisoner into the jacket, at the same time slide the prisoner's arms into the jacket sleeves. Bring the collar closed around the prisoner's neck.
- Move behind the prisoner and buckle the four horizontal straps.
- Move to the front of the prisoner, grasp his forearm in the jacket sleeve just in front of the prisoner's hand.
- Pull firmly on the sleeve, passing the end of the sleeve through the sleeve strap (located at each side).
- While one corrections person holds the first sleeve securely, repeat this procedure with the other sleeve. (Ensure the prisoner's arms are crisscrossed.)
- Buckle the sleeves in the back.
- Pull down firmly on the bottom edge of the jacket bringing the crotch straps between the prisoner's legs, then buckle the strap firmly in the rear. Do not buckle so tightly that the prisoner is uncomfortable.
- The prisoner should then be placed on a 15 minute watch.

d. Use of restraining straps.

These devices are used to restrain a prisoner that has exhibited suicidal tendencies or uncontrollable behavior. A set of restraints consists of two wrist cuffs, two ankle cuffs, one long strap, one short strap, and a key. As with any other piece of equipment, the restraints must first be inspected before they are applied to a prisoner.

(1) Inspect the straps and cuffs for wear and the strap buckles by locking and unlocking them. The buckle is locked by pushing the locking bar into the buckle while

pushing down on the detent bar. When properly locked, the bar will be flush with the side of the buckle. Unlock the buckle and the restraining straps are now ready for use.

(2) Application.

- Five persons are required to put the restraining straps on a prisoner. The person with the straps approaches the prisoner from the front while the four assistants approach from the sides and the rear.
- With one of the prisoner's arms extended forward, place a wrist cuff on the extended wrist so that the metal cuff loop is on the inside of the prisoner's wrist. Tighten the cuff enough to make it secure, but not enough that it cuts off his circulation.
- Close the cuff by putting the cuff loop through the proper slot in the cuff. (Each cuff has three slots in it. Use the slot which is the closest to the degree of tightness needed.)
- Pass the end of the long strap through the cuff loop away from the prisoner and toward you. This will keep the cuff securely on the prisoner's wrist (Figure 3-7). Cuff the other wrist in the same manner as indicated above.

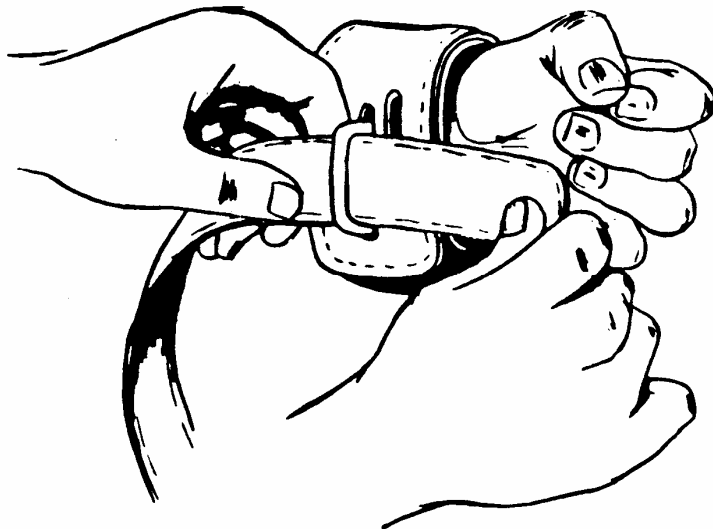


Figure 3-7. Applying the Wrist Strap.

- Pass the end of the strap through the second cuff loop, toward the prisoner. Be sure the strap is not twisted. Bring both ends of the strap around the waist so the strap encircles him and the strap buckle is behind the prisoner

(Figure 3-8). Adjust the strap as much as needed to limit prisoner movement. Lock the buckle and wrap the excess strap around the strap so it will not unwrap (Figure 3-9).

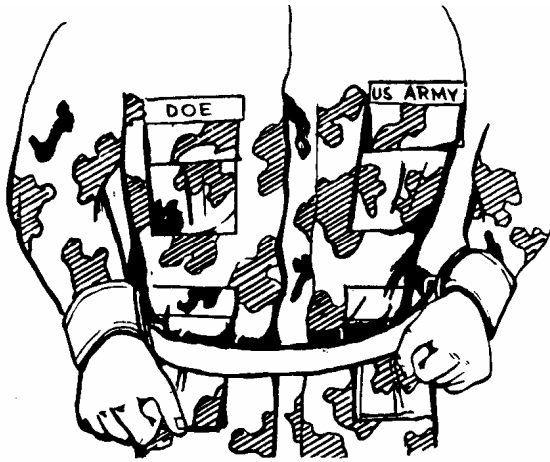


Figure 3-8. Restraining the Wrists.

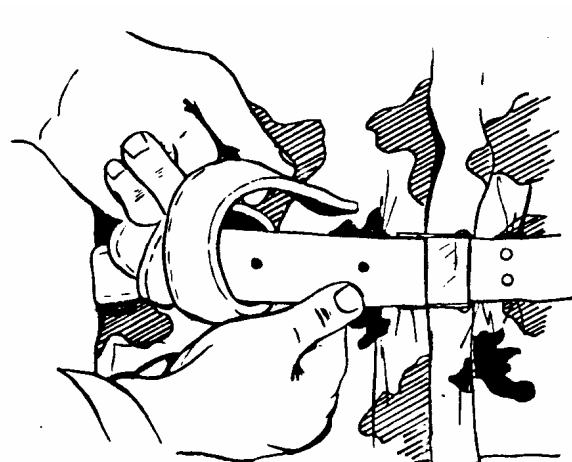


Figure 3-9. Wrapping Excess Strap.

- Apply ankle cuffs on the prisoner with the ankle cuff loop facing in. Remove the prisoner's boots if necessary. Adjust the ankle cuff as you did the wrist cuff and close it.
- Pass the short strap down through the cuff loop. Cuff the other ankle and pass the strap up through the loop. Adjust the short strap to restrict prisoner movement. The prisoner's feet should be no more than 12 inches apart (Figure 3-10).

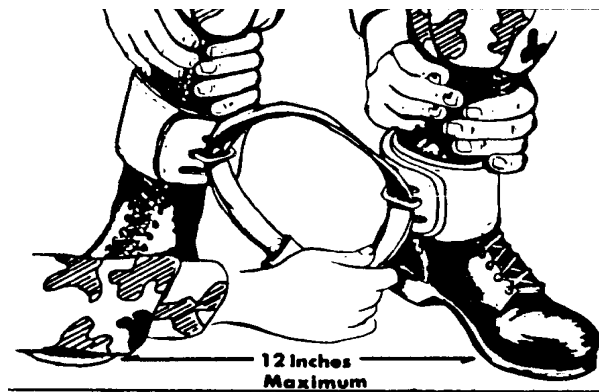


Figure 3-10. Applying the Ankle Strap.

- Lock the ankle cuff strap as you did the wrist cuff strap. Wrap the excess strap so it will not unwrap.

(3) Unmanageable prisoner.

The application of restraining straps to an unmanageable prisoner is accomplished by first immobilizing the prisoner and then placing him face down on the floor. With the prisoner's arms behind his back, palms facing out, place a cuff on each wrist with the cuff loop on the outside of the prisoner's wrist. Cuff each ankle using the same method as described above and secure the prisoner using one of the following methods:

(4) Single Strap Method. (See Figure 3-11.) With the prisoner's legs behind him so that his feet are near his buttocks, pass the long strap through one ankle loop and through the wrist loop of the same side. Pass the long strap through the remaining wrist loop, and down through the remaining ankle loop. Adjust the strap to the desired tightness and lock the buckle. (WARNING: Be careful that too much force is not used or the strap is pulled too tight as the prisoner could be injured.)



Figure 3-11. Single Strap Method.

(5) Two Strap Method. (See Figure 3-11.) (Use this method if there is a danger of injuring the prisoner or if he might injure himself if the single strap method was used.) Pass the long strap through both wrist cuffs, around the prisoner's waist, and adjust the strap to the desired tightness and lock the buckle. Bend the prisoner's legs behind him so that his feet are near his buttocks and pass the short strap down through one ankle loop and up through the other loop. Pass the ends of the short strap around the long strap between the prisoner's hands. Adjust the tightness so the prisoner cannot move, but do not cut off his circulation. Lock the buckle on the short strap.



Figure 3-12. Two Strap Method.

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LESSON 3

PRACTICE EXERCISE

The following items will test your grasp of the material covered in this lesson. There is only one correct answer for each item. When you complete the exercise, check your answer with the answer key that follows. If you answer any item incorrectly, study again that part of the lesson which contains the portion involved.

1. The presence of prisoners in the confinement facility is assured by:
 - A. The proper maintenance of strength charts in the facility commander's office.
 - B. The daily distribution of prisoners' report.
 - C. Lack of reports of absences from the disciplinary guard supervisor.
 - D. Various roll calls and head counts.
2. Who will issue appropriate orders concerning the use of force?
 - A. Provost marshal.
 - B. Hospital commander.
 - C. Facility commander.
 - D. Hospital security officer.
3. Who is responsible for furnishing guards for the hospitalized prisoner ward at an Army hospital? The:
 - A. Provost marshal.
 - B. Ward medical officer.
 - C. Installation commander.
 - D. Commander of the hospital.
4. If a prisoner fails to comply with an order to get a haircut or shave:
 - A. No force may be used to give him a haircut.
 - B. Reasonable, necessary force may be used to give him a shave or haircut.
 - C. Place the prisoner in administrative segregation.
5. Which of the following is generally preferred as a weapon for tower guards?
 - A. .45-caliber pistol.
 - B. M16 rifle.
 - C. M14 rifle.
 - D. Shotgun.

LESSON 3

PRACTICE EXERCISE

ANSWER KEY AND FEEDBACK

<u>Item</u>	<u>Correct Answer and Feedback</u>
1. D.	Various roll calls and head counts. The confinement officer . . . (page 3-3, para 2b).
2. C.	Facility commander. The confinement or correctional . . . (page 3-6, para 5a(2)).
3. C.	Installation commander. The installation commander . . . (page 3-9, para 6a).
4. B.	Reasonable, necessary force may In those instances where . . . (page 3-6, para 5a(2)).
5. D.	Shotgun. Tower guards are . . . (page 3-15, para 9).

LESSON 4

TRANSFER, DISPOSITION, AND PRISONER MOVEMENT PROCEDURES

CRITICAL TASKS: 191-381-1300
191-381-1301
191-381-1540
191-383-3367
191-384-4397

OVERVIEW

LESSON DESCRIPTION:

In this lesson you will learn the responsibilities of escort guards and the precautions and procedures for escorting prisoners by foot, motor vehicle, and air.

TERMINAL LEARNING OBJECTIVE:

- ACTION:** Learn prisoner movement requirements and the duties and responsibilities of escort guards.
- CONDITIONS:** You will have this subcourse, pencil, and paper.
- STANDARDS:** To demonstrate competency of this task, you must achieve a minimum score of 70 percent on the final subcourse examination.
- REFERENCES:** The material contained in this lesson was derived from the following publications: AR 190-47 and FM 19-60.

INTRODUCTION

Disposition to confinement begins by confining the individual at a confinement facility until the sentence has been approved by the convening authority. When convening authority approval occurs, the prisoner may or may not be confined in the appropriate facility for serving his sentence. In the latter case, action must be taken to transfer the prisoner to the appropriate facility.

1. Transfer and Disposition Policies.

Every individual sentenced to confinement would be confined at the Regional Confinement Facility or the USDB. The Army has two types of facilities (confinement and correctional) to carry out the philosophy of confinement and corrections. Transfer from one confinement facility to another is necessary based on a prisoner's sentence situation, as affected by the criteria for designating a facility, and his individual correctional treatment needs. Specific policies have been established to provide for the uniform transfer of prisoners from one confinement facility to another.

It is required that a prisoner be transferred expeditiously to the confinement facility in which his sentence is to be served, but not until it has been determined that there are no additional sentences by court-martial which have been promulgated. An adjudged prisoner or officer prisoner may be retained in the trial area if the convening authority considers it necessary. Prisoners will arrive at gaining facilities during normal duty hours during duty days. Prisoners assigned to confinement facilities whose adjudged punitive discharge or dismissal is ordered executed will be dropped from the rolls effective on the date of discharge or dismissal.

2. Transfer and Disposition Procedures.

Confinement is usually a new experience for an individual. It is important that the highest degree of competence be shown in carrying out prisoner transfer and disposition. A prisoner's impression of the manner in which he is processed will establish his attitude toward future correctional treatment. As in any phase of life, first impressions are lasting impressions.

a. Preliminary Actions.

Prior to transferring a prisoner from one confinement facility to another, the responsible commander will complete the following actions:

(1) The prisoner's pay status will be carefully scrutinized and any payments due him will be placed with the prisoner's personal funds. In addition, the fund custodian of the transferring facility will draw a check payable to the custodian of the personal deposit fund of the receiving facility with a notation on the face of the check, "for credit to the account of (name of prisoner)." He will forward the check under seal with the guard at the time of the prisoner's transfer. If the prisoner is being transferred to a Federal institution, the check will be made payable to the institution, "for credit to the account of (the prisoner's name)." If the transfer to a particular institution involves the funds of more than one prisoner, one check may be drawn to cover all personal funds transmitted. A voucher listing the amount belonging to each prisoner will be attached to the check.

(2) Wherever possible, and when appropriate, action will be taken to reinstate Serviceman's Group Life Insurance (SGLI). In the case of AWOLs, SGLI is automatically terminated after 30 days absence and is not automatically reinstated upon return to military control.

(3) Punitive discharges will be executed in all cases of prisoners having sentences which have been ordered into execution and which involve an unsuspended discharge. The discharge certificate will be retained with records which will accompany the prisoner.

(4) Personal property authorized for retention will be held in safekeeping and will be transferred with the prisoner from one confinement facility to another by guard personnel.

(5) The mode of transportation will be determined and advance arrangements made to provide facilities for the temporary detention of prisoners when a delay or stopover en route is necessary. Layovers will be kept to a minimum.

(6) Guard escorts will be provided from the point of origin within commands to disciplinary barracks for all prisoners designated for confinement in a disciplinary barracks. Major commanders and major subordinate commanders in whose jurisdiction ports of arrival are located are responsible for assisting in scheduling necessary travel within the continental US (CONUS). They are also responsible for providing billets for guards and detention facilities for prisoners during temporary layover periods. Before actual transfer of prisoners, a minimum of 48 hours advance notice will be given to the commander of the gaining facility as well as to the CONUS commander in whose area ports of arrival are located.

(7) Prisoners will be screened to determine history of unstable, neurotic, and psychotic tendencies. When such tendencies are found, the advisability of transfer will be coordinated with a medical officer through medical channels. Those prisoners who have been determined by a medical officer to be mentally unstable will be segregated from other prisoners. The medical officer will determine whether a medical attendant should accompany the escort. If a prisoner appears to require special medical attention en route, transfer will be accomplished through medical channels and needed guards will be furnished to assure custody.

(8) In coordination with the movement commander, the number of guards required will be determined based upon custody requirements, type of transportation, and extent of journey. Arrangements will be made for obtaining qualified personnel, preferably mature guards from military police corps units. The movement commander must report to the point of origin of movement in sufficient time to inspect the adequacy of the transportation equipment, guards, security plan, and preparation of the prisoners.

(9) The prisoners' clothing and equipment will be serviceable, adequate, and both guards and prisoners will be in proper dress prior to departure. The guard in charge of the

prisoners during transfer will be furnished a duplicate list of clothing and equipment accompanying the prisoners.

(10) The papers required to accompany prisoners on transfer will be in the possession of the guards. The guards must understand that any person subject to the UCMJ, who, without proper authority, releases any person committed to his charge, or, who through neglect or design, suffers any such prisoner to escape, shall be punished as court-martial may direct.

(11) Immediately prior to departure and in the presence of the movement officer, the prisoners and their effects will be searched thoroughly for unauthorized articles. Ensure the guards understand that it is Army policy that guards escorting prisoners on commercial aircraft will not be armed. Guards should be instructed of their assigned duties and responsibilities. They will be briefed as follows:

- They are responsible for the appearance, conduct, and custody of the prisoners they are escorting.
- If unable to control a prisoner, they will turn him over to the military or civilian police authorities for safekeeping. They will notify the nearest military installation immediately that assistance is required to deliver a prisoner safely to his destination.
- Military police are not to wear the badge at any time when escorting a prisoner, they will carry loaded weapons only when actually guarding prisoners.
- Actions calling public attention to the status of prisoners will be avoided when escorting prisoners through crowds.
- They will be held responsible for delivery, with the prisoners, of all articles of clothing and equipment issued to the prisoners as evidenced by a duplicate listing furnished the guards at the time of departure.
- When a stopover occurs or it becomes necessary for the guards to rest, they may turn their prisoners, records, and personal effects over to the nearest military confinement facility. The commander of this facility will be responsible for the temporary custody of the prisoners until the guards are able to continue the journey. The facility commander will provide receipts for all prisoners, records, and property deposited for safekeeping. With the concurrence of the civil police authorities concerned, guards may place their prisoners, records, and personal effects in a civilian jail for safekeeping when military confinement facilities are not available. The guard will obtain a receipt for the prisoners, records, and personal effects from the civilian agencies accepting temporary custody. If necessary, civil agencies may be reimbursed for housing and feeding costs by the government.

b. Disposition of Prisoner Property.

(1) Regional Confinement Facility. For Army prisoners to be confined in regional confinement facilities, disposition of clothing and personal property of prisoners will be done according to the following procedures.

(a) Prisoners will have possession of required military clothing items. Items of military personnel clothing found to be in excess of initial allowances are not entered on the personal clothing record. Excesses will be entered on a list prepared by the unit as indicated below and retained at the unit for safekeeping.

(b) Prior to departure to the confinement facility, the unit commander or his representative will conduct a shakedown inspection and physical inventory of all clothing in the individual's possession or control. Upon completion of the inventory, DA Form 3078 (Personnel Clothing Request) will be adjusted to the quantity of each item in the individual's possession.

(c) The unit commander or his representative will prepare a list in four copies of all military clothing (except excess military clothing) to be retained in the unit supply for safekeeping. All copies of the list will be signed by the prisoner and by the unit commander or his representative. The original signed copy of the list will be placed in the individual's duffel bag with the clothing retained at the unit. The second signed copy of the list will be attached to DA Form 3078. The fourth signed copy will be given to the prisoner to retain.

(d) Civilian clothing, excess military clothing, and other items of personal property retained at the assigned unit for safekeeping will be inventoried and lists prepared as outlined above for military clothing. Personal property such as watches, rings, money, billfolds, keys, pens, official papers, religious emblems and medals, or items of sentimental value may accompany the prisoner to the confinement facility. The number of items normally will not exceed the capacity of a 16 X 12-inch manila envelope. This personal property will be accounted for at the regional confinement facility as follows:

- It will be inventoried and listed on DA Form 1132 in as many copies as necessary for internal control purposes. Items of uniforms will not be listed except for officers or warrant officers. The original will be retained by the custodian. One copy will be retained by the prisoner. One copy will be placed inside the container in which the personal valuables authorized for retention will be held for safekeeping. One copy will be affixed to the outside of this container. The remaining copy filed in the supply room where personal property, other than valuables, is stored.
- When the property is placed in the envelope for personal valuables, the prisoner, the custodian (or his bonded representative), and a witness will be present and affix their respective signatures on all copies of the form. The envelope will be closed by the

prisoner and his signature will be affixed across the joined edge of the envelope. The signature will then be completely covered with clear cellulose tape.

- This sealing procedure is required only for the envelope containing personal valuables and not for containers in a supply room containing other personal property of a prisoner.
- Subsequent receipts of personal property or valuables authorized for retention will be processed in the manner prescribed for the original receipt.

(2) When a prisoner is transferred from one confinement facility to another, his personal property envelope will be forwarded with the accompanying guard at the time of transfer, together with a copy of the prisoner's personal property list and the copy attached to the outside of the envelope. The guard will sign a receipt, in duplicate. The receipt will include a statement that the cellulose tape and signatures indicate that the envelope has not been opened without the prisoner's knowledge. The original of the receipt will be retained by the custodian of property at the transferring facility. The duplicate receipt will be delivered to the custodian of property at the receiving facility.

(3) When a prisoner's sentence includes a punitive discharge, the unit commander will take action to turn in through supply channels all items of personal outer military clothing. The prisoner's DA Form 3078 will be brought up-to-date and clothing turned in will be entered on the clothing record. The prisoner's personal clothing record will be forwarded through the unit personnel officer to the facility commander. (If the prisoner refuses to give disposal instructions for his property, the property will be disposed of as abandoned or unclaimed property.) The property will be disposed of by the unit commander in accordance with instructions received from the prisoner. A copy of such instructions will be attached to the list prepared at the time of initial confinement and filed with the unit supply records. Authorized options for disposal of prisoner's personal property are as follows:

- Shipment to a person designated by the prisoner. Such property will be assembled, carefully identified, and securely packed before shipment. Shipping cost may be either prepaid from the prisoner's fund or shipment may be made cash on delivery.
- Sold and the money from the sale deposited to the prisoner's account.
- Donated to a charitable organization.
- Donated to another individual not in confinement.
- Destroyed.

- Disposed of as abandoned or unclaimed property.

(4) All military clothing items issued to prisoners without discharge, who have sentences of 30 days or more confinement and are retained in the unit will be shipped to the confinement and correctional facility at government expense.

c. US Army Disciplinary Barracks. For prisoners being transferred to a disciplinary barracks, those with punitive discharges executed will be transferred with the military outer garments necessary for health and comfort during travel from place of confinement to the disciplinary barracks. All other outer military garments will be disposed in accordance with AR 700-84. The form will be posted to reflect clothing items turned in. The personal clothing record will be forwarded to the disciplinary barracks, the remaining outer clothing items worn by the prisoner during travel will be turned in and replaced by the prescribed prisoner uniform. Part 1, Personal Clothing Record, will then be destroyed.

Punitive discharge prisoners who are awaiting completion of appellate review will be required to dispose of all items of personal outer military clothing as discussed previously except for one complete service uniform. DA Form 3078 will be posted to reflect items turned in and forwarded with the prisoner's personnel and administrative records to the correctional holding detachment. The complete service uniform will be retained for the prisoner pending completion of the appellate action on his sentence. When the order of execution of sentence to confinement and punitive discharge is finally announced, the service uniform will be disposed of in accordance with the paragraph above.

All personal military clothing and personal property authorized for retention at the Army regional facility will accompany prisoners whose sentences do not include discharge upon transfer to the disciplinary barracks.

d. Federal Institutions. For prisoners transferred to Federal institutions, the disciplinary barracks (from which transferred) will furnish the Federal institution a list of items of outer clothing to be returned and acknowledge receipt has been closed out. The prisoner will be transported in the prisoner uniform of the institution which will be laundered and returned to supply for reissue.

e. Reserve Components. Uniforms of National Guard or Army Reserve six-month trainee personnel will be returned to the National Guard unit of which the individual is a member. Or, to an Army Reserve clothing reclassification point.

f. Transfer of Prisoner Records.

When a prisoner is transferred, the commander responsible for the transfer will send with the guard and in a sealed package, appropriate items from the following list:

- Letter of transmittal of the items and listing all enclosures.

- Orders directing travel of prisoner.
- Orders promulgating or modifying sentences.
- Copy of the staff judge advocate's review.
- Decision of the Board of Review, Office of the Judge Advocate General, in the case of a prisoner for whom the decision has been received and not finally disposed of by promulgation of a supplementary court-martial order.
- Status of the appellate review, to include an indication as to whether the sentence was affirmed and ordered into execution.
- A statement indicating whether the prisoner has petitioned the US Court of Military Appeals for a grant of review.
- Notice of any additional sentence pending and a copy of the charges.
- Any detainers for the prisoner's return to military custody or to civilian authorities.
- Latest clemency action and date and the date the case is due to next clemency consideration.
- Statement of conduct, including amount of good conduct time and extra good time earned, forfeited, or restored to date of transfer.
- DA Form 2143 (Financial Data Record, US Army). This will be used for military personnel whose sentences do not include total forfeitures of pay. Or, it may be used in cases where the effective date of the forfeitures has been deferred.
- Statement indicating the date prisoner's pay account was closed and the amount of money received by the prisoner or the amount due the government. If payment cannot be made prior to the member's departure, the statement will indicate the Finance Center, US Army will close the member's pay account. This statement will be furnished in the cases of all military personnel whose sentences include total forfeitures which have been ordered into execution.
- A voucher and check covering personal money of prisoner.
- DA Form 201 (Military Personnel Jacket, US Army). This item will be included for military personnel whose discharges have not been ordered into execution when transferred from one military confinement facility to another.

- Discharge certificates for all military personnel whose discharges have been ordered into execution.
- The health record will be forwarded when the prisoner is transferred to a military confinement facility. If the prisoner is transferred to a Federal institution, the health records for officers and warrant officers will be forwarded with the military personnel records jacket to the Adjutant General, Department of the Army, Washington, DC. The health records and military personnel records jacket for enlisted personnel will be forwarded to US Army Personnel Services Support Center, Fort Benjamin Harrison, IN, if the prisoner has been discharged from the service. Otherwise, the above items will be sent to the Adjutant General, Department of the Army, Washington, DC.
- Signed copies of other documents which report escapes and return to military control for all cases where the escape affects the prisoner's release date.
- Reports of any neuropsychiatric examination of the prisoner.
- Reports regarding the prisoner's history which might be appropriately considered in connection with classification, clemency, restoration to duty, and parole.
- Lists of clothing and equipment in possession of or accompanying prisoner upon departure. This includes the military clothing and equipment lists and personal property lists.
- All health and comfort items which are credited to the prisoner's account.
- Bureau of Prisoners Record Form No. 1 (Sentence Data Record) will be furnished in triplicate with each prisoner transferred from a disciplinary barracks to a Federal institution.
- A list of authorized correspondents and visitors, showing current address and relationship.
- A request for return of items of distinctive prisoner uniform in cases of a prisoner transferred from a disciplinary barracks to a Federal institution.
- Prisoner's correctional treatment file.

3. Movement Procedures.

While the movement of prisoners can be divided into two general categories (movement within the facility and movement outside the facility), this lesson will discuss only the

movement of prisoners outside the facility. The movement of prisoners inside the facility is included elsewhere in the correctional subcourse series.

The procedures and techniques discussed in following paragraphs apply to prisoners who require the maximum degree of physical restraint during movement. They also apply, however, to prisoners considered to require lesser degrees of physical restraint. They may be modified by the commander directing the movement. The number of guards required for each type of movement depends upon the number of prisoners to be moved and the degree of custodial supervision required.

a. The Risk Factor.

The movement of prisoners from one place to another outside the facility whether it be a detail or a group of prisoners being transferred to another facility, requires the use of established procedures and techniques so that custody and control can be maintained. The period of movement offers the greatest opportunity for an attempted escape; therefore, alertness, attention to duty, and adherence to proven procedures and techniques are essential.

b. Restrain Prisoners.

Prisoners may be handcuffed at the discretion of the movement commander. However, handcuffing procedures should be established before the movement is begun. Special precautions should be taken to ensure that troublemakers, abnormal behavior cases, and escape-risk prisoners are not handcuffed to each other. In addition, they should be seated where they can be under constant observation. Prisoners should not be handcuffed to fixed objects during transportation.

c. Use of Hand Irons. Prior to the application on a prisoner, inspect the hand irons for serviceability. Also, check the double locking pin by squeezing the iron after the pin has been depressed. After the inspection has been completed the hand irons are ready to be applied to a prisoner. Basically there are three positions for this application.

(1) Instruct the prisoner to extend both arms to the front, elbows locked, and palms facing each other. Grasp one of the prisoner's hands. Apply the hand iron so the double lock is up and the keyhole is facing away from the prisoner and tighten the iron. Grasp the other hand and apply the remaining iron. Make sure the double lock is up and the keyhole is facing away from the prisoner. Double lock both irons and check by squeezing the irons.

(2) In the second method of application of hand irons, stand behind the prisoner. Have the prisoner place one hand behind his back with palm facing out. Apply the hand iron to that hand and tighten then place the remaining iron with the connecting chain under his belt. Instruct the prisoner to place his remaining hand behind his back, palm facing out, and apply the remaining iron and tighten. Double lock both irons and check by squeezing the irons.

(3) The third method of applying hand irons is to a seated prisoner. Stand to one side and have the prisoner place his arms around his legs so that his hands are underneath and between his legs, palms facing each other. Apply the hand irons as outlined in the first method.

d. Use of Leg Irons. As with hand irons, leg irons must also be inspected prior to application on a prisoner. After the inspection and when you are satisfied the leg irons are in proper working condition, stand behind the prisoner and have him spread his feet approximately 12 inches apart. Crouch behind the prisoner and grasp one of his ankles. Apply the leg iron above the ankle so that the keyhole is up and the double lock is facing you. Tighten the iron without cutting off the prisoner's circulation. Apply the second leg iron in the same manner and check for tightness by inserting your fingertip between the prisoner's ankle and the leg iron. Double lock and check by squeezing the iron.

If the prisoner will not cooperate, place him face down on the floor to apply leg irons. Have at least one corrections NCO present and use only the minimum amount of force necessary to overcome the prisoner's resistance. It may be necessary to turn down the boot tops to apply the leg irons.

e. Movement by Foot.

Prisoners are moved by foot when the distance involved is short enough to justify this method or when no other means of transportation is available.

Prior to leaving the facility, the escort guard will be required to sign DD Form 629 (Receipt for Prisoner or Detained Person). (See Figure 4-1.) He is also required to frisk search the prisoner.

The guards should maintain positions approximately six to eight paces from the prisoners. When more than one guard is required, one follows the formation and the other position themselves on the flanks. If only one guard is required, he positions himself to the rear and slightly to the left or right of the formation so that he has an unobstructed view of each prisoner.

The prisoners should be marched in a military manner on the left side of the road (facing traffic) and far enough off the roadway to make it difficult for a prisoner to escape by hopping into a passing vehicle. If the road is not clear, halt the detail at a distance from the intersection until the detail can proceed without interference to traffic. When moving across a roadway, use flanking movements in order to clear the road in the shortest possible time.

f. Movement by Motor Vehicle.

If prisoners are to be moved by motor vehicles, loose materials such as equipment, tools, and pieces of wood which could be used as weapons should be removed or secured before prisoners are loaded into the vehicle.

(1) Sedan, HUMVEE, or a 1/4-Ton Truck. Normally, a sedan, HUMVEE, or a 1/4-ton truck is used if only one prisoner is to be moved. However, two prisoners of minimum or medium custody grades may be moved in a single sedan. When two or more sedans, HUMVEE, or 1/4-ton trucks are used, the two vehicles should be kept close together to prevent them from becoming separated by other traffic. Intervehicular communications should be prearranged.

Determine the route of travel and, where practicable, conduct a reconnaissance of the route. Remove the inside handles of the rear doors if necessary or practicable. Assign two guards and a driver to each vehicle; one of the guards is armed and the other is unarmed. Brief the driver on his duties, his conduct toward the prisoner, and anything he should know about the prisoner. Instruct the driver not to communicate with the prisoner unless otherwise instructed.

Perform the following procedures:

- Frisk search each prisoner and apply hand irons or leg irons to prisoners, if needed. A prisoner may be individually handcuffed or two prisoners may be handcuffed together. Do not cuff two escape-risk prisoners together.
- Position the vehicle near the exit through which the prisoner is to come; park it away from crowds and heavy traffic.
- The armed guard keeps approximately six to eight paces from the unarmed guard and the prisoner.
- The driver places the prisoner's and guards' baggage in the vehicle.
- The prisoner enters the vehicle first and sits in the right rear seat. The unarmed guard enters the vehicle on the side opposite the prisoner and sits to his left on the rear seat. If there are two prisoners, handcuff them together and sit them in the rear seat of the vehicle. Do not handcuff prisoners to a fixed object in the vehicle.
- The armed guard enters last and sits in the right front seat. He positions himself so he can observe the actions of the prisoners.
- In unloading the armed guard dismounts first. The prisoner and the unarmed guard then dismount on the same side of the vehicle as the armed guard.

RECEIPT FOR PRISONER OR DETAINED PERSON		
RECEIVED FROM <i>(Unit or Agency and Station)</i> Area Confinement Facility, Fort Blank, MO 65473	TIME 1000	DATE 15 Mar 99
LAST NAME — FIRST NAME — MIDDLE INITIAL AWNS, Robert J.	SERVICE NUMBER/SSN 111-22-3333	GRADE E1/PVT
ORGANIZATION 25 th Trans Company	STATION Fort Blank, MO 65473	
OFFENSE ART 86, AWOL		
PERSONAL PROPERTY On person		
REMARKS Prisoner to be returned prior to 1600 hrs, 15 Mar 99.		
NAME AND TITLE OF PERSON RECEIVING ABOVE INDIVIDUAL <i>(Typed or Printed)</i> JOHNSON, James R., First Sergeant	SERVICE NUMBER/SSN 444-55-6666	GRADE SFC
RECEIVING UNIT OR AGENCY AND STATION 25 th Trans Co, Fort Blank, MO 65473	SIGNATURE JAMES R. JOHNSON	

DD FORM 1 MAR 58 629 EDITION OF 1 MAR 52, IS OBSOLETE

Figure 4-1. Example of DD Form 629.

- Should only one guard be assigned, the prisoner and the guard should sit on the rear seat.

(2) Panel Truck or Van. When a panel truck or van is used, the procedures outlined for sedans, HUMVEES, or 1/4-ton trucks apply except that a guard is not required in the rear of the van if the rear door can be secured from the outside only.

(3) Ambulance. When moving prisoners by ambulance, the procedures described for sedans, HUMVEES, and 1/4-ton trucks apply except that the armed guard is seated in the front seat and the unarmed guard is seated between the prisoners and the rear door. When moving a prisoner who is certified by a medical officer to be a mental patient, only unarmed guards are used to assist the medical attendant in charge.

(4) Open-Bed Truck. Open-bed trucks are sometimes used to move prisoners primarily to and from employment sites on the installation. Prearrange a system of communications between the guards and the driver. For example, one blow of the hand on the cab of the truck may mean to start the vehicle and move out. A single blow of the hand

on the cab during movement may mean there is trouble and the driver should immediately pull over.

If tools are needed, designate a prisoner to carry them from the toolroom to the truck. Keep the tools and the prisoners separated during the trip.

Loading procedures described below apply when one or more guards ride with prisoners in the bed of the truck:

- The driver lets down the tailgate.
- The guard hands his weapon to the driver and mounts the truck. The guard takes a position in the front corner of the truck bed and faces the rear of the vehicle. The driver returns the weapon to the guard. If there is more than one guard, the armed guard will hand his weapon to an assisting guard, prior to mounting the truck.
- Direct the prisoners to mount one at a time and take seats alternately on the two sides. A space is left between the prisoners and the tailgate and between the prisoners and the guards.
- The driver raises and fastens the tailgate.
- In unloading, the same procedures as described above are followed except in reverse order.

(5) Bus. If a bus is to be used in transporting prisoners, more elaborate precautions and procedures are required. Use the following precautions:

- If practicable, make a reconnaissance of the route prior to the movement.
- Escort or guard vehicles should accompany all bus movements. One vehicle is positioned in front of and one vehicle is positioned to the rear of the bus. The lead vehicle sets the pace; the speed is regulated to keep the bus and the guard vehicles sufficiently close to prevent another vehicle from entering the gap. A communications system for contact among the vehicles is prearranged.
- Prepare a seating plan for use during the loading of prisoners.
- Inspect the bus for unauthorized items.
- Bus windows may be open for necessary ventilation, but must be blocked so they cannot be opened more than 4 inches.

- Have baggage loaded under the close supervision of armed guards prior to loading the prisoners.
- Instruct the driver not to communicate with the prisoners unless otherwise directed.
- Frisk search the prisoners immediately before boarding.

(a) Use the following loading procedures:

- Station a screen of guards around the bus to cover possible avenues of escape.
- Direct the prisoners to enter the bus by the order in which they are to be seated and check their names off a roster as they enter.
- An unarmed guard in the bus seats the prisoners from rear to front according to the seating plan. Except when given permission to move, prisoners remain in their seats. Do not seat prisoners in the seat immediately behind the driver or next to an emergency door. Ensure that there is an empty seat between the unarmed guards and the prisoners.
- Have the guards take their positions. If the bus has cages, armed guards are stationed in them. Armed guards are not used in buses not having cages. If the bus does not have cages, unarmed guards are stationed in the front near the driver and in the rear of the bus. Armed guards take their positions in the escort vehicles.

(b) Use the following unloading procedures:

- The guards dismount and take positions from which they can best guard the prisoners.
- The prisoners are directed to file out of the bus in an orderly manner, in the reverse order of their loading.

(c) A comfort stop, if necessary, should be made in an isolated spot along the route which affords a clear line of vision and offers no natural incentives to escape such as nearby obstacles, obstructions, or third parties. Use discretion to select stopping points which provide the least opportunity for offending the passing public.

(d) If escort vehicles are used, position them bumper-to-bumper. Use the unloading procedures described previously. Do not allow prisoners to go to the highway side of the bus or to wander off. Be especially alert during this period to ensure that an escape is not made and that unauthorized items are not obtained. Use the loading procedures described previously.

(e) When contracting for commercial bus service, it must be remembered that buses with latrines and locked windows may involve extra charges if the contractor does not have buses already available with these facilities and modifications. When funds have not been programmed to allow for these extra costs or when their cost is unrealistic, they should be omitted.

(6) Movement by Aircraft.

Prisoners are moved by aircraft when this method of transportation is more practical than moving them by other modes. Prisoners may be transported in military aircraft or in commercial aircraft. The procedures and techniques used to transport the prisoners vary depending on which type of aircraft is used.

(a) Commercial Aircraft. Movement of prisoners by commercial aircraft requires careful coordination and timing. The airline must be notified of the prisoner shipment well in advance. The prisoners are kept out of the public view as much as possible. If possible, the vehicle drives up to the aircraft so that the prisoners board the plane quickly. The guards and prisoners board the aircraft before the other passengers. After boarding, the guards identify themselves to the pilots the attendants, and the FAA security specialists. A maximum custody grade prisoner should not be transported with any other prisoners, regardless of their custody grade.

During the flight, all weapons are secured in the pilot's compartment or as directed by an airline representative. Seats are reserved for the prisoners and the guards, preferably to the rear of the aircraft near the bathrooms and from the exits including the emergency exits. The guards have the prisoners sit away from the aisle. Airline policies and directives govern the use of restraints on aircraft. It may be permissible to remove restraints after all exits to the aircraft have been secured. Restraints may be used during the flight if the prisoners' conduct constitutes a hazard to the security of the aircraft, passengers, crew, or guards. After landing, the guards and prisoners will exit the aircraft last, after all other passengers.

When delays occur or when it is necessary to wait for connecting flights, a waiting room or area that is away from the main terminal area is provided for prisoners. The request for a reserved waiting area is made to the airline representative or the station manager. Only those prisoners who are considered custody risks are handcuffed. If the guards cannot provide adequate control over the prisoners during anticipated stops, the guards make arrangements with civil or military authorities to provide additional guards.

If an unscheduled stop is required during the flight, the pilot radios the airfield and requests assistance from military, security, or civil police, whichever is appropriate. If an emergency or forced landing has to be made, the guards secure the prisoners. After landing, the pilot dispatches a crew member to ask for help from local

military or civil police and to notify the commanders of the receiving and losing confinement facilities of the situation.

(b) Military Aircraft. To move prisoners on military aircraft, arrangements are coordinated with the local Army, Navy, or Air Force commander who has jurisdiction over the facility that can most economically furnish such aircraft. The aircraft commander is in complete charge of the aircraft and the passengers during the entire flight. The officer in charge of the prisoner movement is responsible for the security and care of the prisoners and the supervision of the guards. The facility commander at the point of origin advises the commander of the receiving facility of the number of prisoners and the estimated time and place of arrival. Baggage for the prisoners and the guard escort cannot exceed authorized allowances for each person. An additional baggage allowance is authorized for the officer-in-charge to allow him to transfer the prisoner's records.

When traveling by military aircraft, the guards are briefed on the possibility of the prisoners escaping through the aircraft's emergency exits. Maximum custody prisoners are segregated from medium and minimum custody prisoners on the same aircraft. Minimum and medium custody grade prisoners may be transported together. Prisoners in a medical patient status are transferred through military medical evacuation channels.

Before the aircraft is loaded, it is inspected for equipment and gear that could be used as weapons. All prisoners are relieved of articles that are considered hazardous to their safety, to the safety of others, and to the aircraft. If aircraft facilities permit, a separate bathroom is designated for the prisoners' use. The locks are removed from the doors, and loose equipment and gear are removed and secured elsewhere. Prisoners remain in their seats at all times except to use the bathroom. It is not necessary to escort minimum and medium custody prisoners on a military aircraft if they can be kept in sight.

(7) Other Modes of Movement.

Prisoners may also be moved by ship or by rail. As these two modes of transportation are not used frequently, no material in this lesson addresses these procedures and techniques which, generally speaking, closely parallel those aboard aircraft. For additional information and guidance, see FM 19-60 and AR 190-47.

LESSON 4

PRACTICE EXERCISE

The following items will test your grasp of the material covered in this lesson. There is only one correct answer for each item. When you complete the exercise, check your answer with the answer key that follows. If you answer any item incorrectly, study again that part of the lesson which contains the portion involved.

1. Prior to transferring a prisoner to another facility, the losing overseas commander will give the gaining commander a minimum of ____ hours advance notice.
 - A. 96.
 - B. 72.
 - C. 24.
 - D. 48.
2. Whenever possible, transferred prisoners will arrive at the gaining confinement facility:
 - A. during normal duty hours.
 - B. anytime during the normal work week.
 - C. between 0800 and 1600, Monday through Sunday.
 - D. anytime during a weekday.
3. You are in the supply room observing the transfer preparations for two prisoners scheduled for the USDB whose punitive discharges have been executed. You examine all items that are to be turned in through normal channels prior to transfer. You tell the supply sergeant that he is in error if:
 - A. a turn-in is made for all outer military garments, except those necessary for health and comfort during travel to the disciplinary barracks.
 - B. a turn-in is made for items such as footwear, underwear, handkerchiefs, and towels.
 - C. a turn-in is not made for all the prisoner's personal property.
 - D. DA Form 3078 is posted to reflect clothing items turned in.

4. Several prisoners are at the disciplinary barracks with punitive discharge sentences and are awaiting completion of appellate review. You receive notice that appellate action has been accomplished on one prisoner resulting in execution of his punitive discharge. He requested to see you and asked you if he may keep his service uniform. You tell him that:

- A. you do not see why not since the Army has little use for it.
- B. he may retain it until he is released from confinement.
- C. it is required that the service uniform be turned in.
- D. it is required that the service uniform be replaced by the prescribed prisoner uniform; however, since the service uniform is a nonrecoverable item, it can be retained by the prisoner.

5. How are outer garments disposed of for prisoners being transferred to a disciplinary barracks whose sentence includes a punitive discharge:

- A. must be returned to the prisoner's Reserve unit.
- B. may be sold and the money deposited in the prisoner's welfare fund.
- C. must be returned to the prisoner's home of record.
- D. disposed of in accordance with AR 700-84.

LESSON 4

PRACTICE EXERCISE

ANSWER KEY AND FEEDBACK

<u>Item</u>	<u>Correct Answer and Feedback</u>
1. D.	48. ...a minimum of 48 hours advance notification . . . (page 4-3, para 2a(6)).
2. A.	during normal duty hours. Prisoners will arrive . . . (page 4-2, para 1).
3. B.	a turn-in is made for items such as footwear . . . For prisoners being transferred . . . (page 4-7, para 2c).
4. C.	it is required that the service uniform be . . . When the order of execution . . . (page 4-7, para 2c).
5. D.	disposed of in accordance with AR 700-84. All other outer military garments will be disposed. . . (page 4-7, para 2c).

LESSON 5

CLEMENCY AND RELEASE PROCEDURES

CRITICAL TASKS: 191-381-1303
191-382-2344
191-384-4397

OVERVIEW

LESSON DESCRIPTION:

In this lesson you will learn the general release procedures for prisoners. The use of clemency and its effect and how to verify or execute DD Form 367 (Prisoner's Release Order) and DD Form 629 (Receipt for Prisoner or Detained Person).

TERMINAL LEARNING OBJECTIVE:

ACTION: Learn general release procedures and verify or execute DD Form 367 and DD Form 629.

CONDITION: You will have this subcourse, pencil, and paper.

STANDARD: To demonstrate your competency of this task, you must achieve a score of 70 percent on the final subcourse examination.

REFERENCES: The material contained in this lesson was derived from the following publications: AR 190-47 and FM 19-60.

INTRODUCTION

Throughout previous lessons, individualized correctional treatment has been stressed. As long as an individual is in confinement, a program must be developed to meet his needs. The objective of this program, of course, includes the necessity to alter the attitudes of the prisoner in such a way that he will understand that he can make a contribution to society rather than be a burden society must "carry." Once this is accomplished, we have completed our job and with the job done, there is little need for further confinement. Although sentenced to a period of confinement by a duly constituted court-martial, this does not mean that the individual is required to serve his entire sentence as stated by the court. If his

attitudes meet the desired standards, usually demonstrated by improved behaviors, he may be released early from confinement. This is referred to as clemency.

1. Terminology.

a. Mitigation.

Mitigation is the lessening of punishment imposed by a court-martial or the furnishing of grounds for a recommendation of clemency. Reasons for mitigation may include particular acts of good conduct. These causes may also be the reputation or record of the prisoner in the service for efficiency, fidelity, subordination, temperance, courage, or other traits that generally characterize a good officer or enlisted man.

b. Suspension.

Commanders, as designated by the Secretary of the Army, are empowered to suspend any part or amount of the unexecuted portion of any sentence. Usually, the officer who has the immediate authority to convene a court of the kind that adjudged the sentence in question is also empowered to suspend the unexecuted portion of a sentence.

Any portion of a sentence may be suspended. Suspension of a sentence to confinement, in effect, "frees" the individual on probation. Suspension of a sentence may be for any period of time beyond the term of confinement. While in the probation-like status, the individual is returned to duty. Unlike other soldiers, however, he has the suspension action "hanging over his head" for the continuation of the suspension is conditioned upon the individual's good behavior. The suspended sentence may be vacated for justifiable reasons and the individual returned to confinement to serve the unexecuted portion of his sentence.

c. Remission.

The remission of an offense is the setting aside of the charges or the sentence against an accused. Remission differs from suspension in that once a sentence is remitted, the action is final and cannot be vacated at a later date. Remission quite literally "wipes the slate clean" and no further punishment for the offense in question can be imposed.

It may be helpful to further distinguish mitigation, suspension, and remission. Mitigation is roughly the equivalent of an accused "begging the mercy of the court" after the case against him has been proved. Usually, through counsel, the accused attempts to show that his character prior to the offense was exemplary or that there were certain extenuating circumstances which the court should take into consideration prior to pronouncing sentence. A suspension is roughly the equivalent of probation while remission functions much like a pardon.

d. Clemency.

(1) Clemency is the early release of a prisoner from confinement through mitigation, remission, reduction, or suspension of the unexecuted portion of a court-martial sentence. Commanders are encouraged to exercise their powers of clemency, consistent with the maintenance of discipline and the preservation of good order, as one of the means to rehabilitate a prisoner for military duty or return to civilian life. In determining when a prisoner is ready for clemency, consideration should be given to his conduct (behavior) while in confinement, his attitude and adjustment, his willingness to participate in the training and employment programs, and his military and civilian confinement records.

(2) The commander's use of his clemency authority is of considerable value in the correctional treatment of prisoners. Through judicious use of clemency, he establishes an attainable goal for those prisoners who desire honorable service. Thus, it functions much like a reward for deserving prisoners. If applied otherwise, clemency soon loses its effectiveness and becomes merely another means of getting a prisoner out of confinement as soon as possible. The latter course destroys the meaning and eliminates the need or desire of the prisoner to "take stock of himself," thus taking from the prisoner his desire to excel. If clemency is given without selectivity, it will have little or no long lasting effect on the prisoner and "the world owes me a living" type of attitude which may have put him in confinement in the first place.

(3) The correctional staff should reserve recommendations for clemency for those individuals who have responded in an acceptable manner to the various program of the facility. These recommendations are submitted to the confinement or correctional officer who will use all available information to obtain an accurate analysis of each prisoner's progress toward rehabilitation. The length of time the prisoner has been in confinement should never be used as the sole criterion in determining clemency. If the analysis indicates that the prisoner is deserving of clemency, then a recommendation for clemency should be forwarded. If analysis fails to indicate conclusively that a prisoner deserves clemency, a recommendation of denial should be forwarded. Your recommendations, and those of the enlisted people you supervise, play a very vital role in the consideration for eligibility for clemency, for you and your people are in a position to have "firsthand knowledge" of the prisoner through daily contact and frequent observation. It is extremely important that personal prejudices, which we all harbor to some extent, do not enter into your recommendations. Always strive to give credit where credit is due without regard to race, creed, religion, or your personal feelings of "like" or "dislike" for the prisoner as an individual. Granted, this is often more easily said than done, but when you submit your recommendations ask yourself two questions: "Can I honestly defend this report to the benefit of all concerned?" and "Is the report factual and free from personal prejudice?"

(4) All prisoners confined in Army confinement facilities will be considered for clemency by the commander exercising general court-martial jurisdiction over the prisoners. The advantages of clemency are numerous for both the prisoner and the Army. For example, if the individual prisoner is returned to honorable military service, there is the elimination of the costs attendant to feeding, billeting, clothing, training, and guarding him while he is in

confinement in a nonproductive status. Fewer prisoners mean less correctional personnel costs to the government, less crowding in our facilities, and may well mean that we will have more time to work more closely with those prisoners who need our assistance. To the prisoner, his self-respect has been restored and he expands his goals for working towards finding his place in society. The greater proportion of prisoners in confinement today are there because someone somewhere along the line failed to take the time to understand the prisoner's problems or to exercise proper leadership. Once this error has been remedied, the individual can go about his business of living and working with improved attitudes and conduct himself in more socially acceptable ways. The only real disadvantage of clemency can be that which would accrue to the individual if he is favorably considered for clemency when he is not deserving of it. In such an eventuality, the individual may well find himself behind bars again all too soon.

2. Authority.

Any commander of a person convicted by a court-martial has the authority to appoint a court of the same kind that imposed the sentence. Or, any superior military authority may mitigate, remit, or suspend (in whole or in part) any unexecuted portion of a sentence adjudged by a court-martial other than a sentence extending to death, dismissal, or affecting a general officer. Recommendations in the latter three instances must be forwarded through the prescribed channels and acted upon by the Secretary of the Army.

Do not confuse the paragraph above with clemency authority. Clemency authority is invested in the installation commander of any and all prisoners confined in the facility. The authority for the convening authority to grant clemency applies only to those prisoners that the convening authority ordered into confinement.

3. Clemency policies.

a. Installation Clemency Board.

(1) The installation commander will establish, by written orders, a clemency board consisting of a minimum of three members. The board will recommend to him reductions or remission of the sentences of all deserving prisoners. The board also carries out its responsibilities to consider restoration to duty for punitive discharge prisoners who are not as yet transferred to the disciplinary barracks.

Membership of a clemency board is composed of the following:

- Selected unit commanders.
- An officer from the company of the installation provost marshal. (Normally, the installation provost marshal and the facility commander.)

- Chaplains (normally, the facility chaplain).
- A representative of the mental hygiene consultation service.
- An experienced senior noncommissioned officer, in the grade of E7 or above, for those cases involving enlisted personnel. This individual is frequently the senior corrections NCO.

(2) A member of the consulting counseling and evaluation section will be selected to act as recorder for the clemency board. He should be a mature and a capable individual. He must not be prone to "loose talk" regarding the deliberations of the clemency board and must accurately record the proceedings.

In addition to the above members specified by regulation, a representative of the staff judge advocate is normally appointed as a member of the board. The senior corrections NCO, if not the individual specified previously, usually attends these board meetings in a nonvoting capacity along with the confinement officer. The senior officer appointed to the board acts as president, establishes voting policies, and is responsible for submitting a record of board proceedings to the installation commander.

(3) The clemency board will convene at least once monthly at the confinement facility to consider the cases of all prisoners eligible for clemency.

The facility commander establishes schedules to ensure that the prisoner applying for clemency is considered by the board when eligible. The confinement officer's presentation to the board will be objective and factual. It may be oral, written, or a combination of both. It will, however, include all pertinent details such as--

- Offense.
- Sentence imposed.
- Status of the prisoner.
- Total time served in confinement.
- Period of service obligation remaining on enlistment requirement should clemency be favorably considered.
- Previous court-martial convictions, if any.
- Previous punishments under Article 15, if any.

- Civil arrest record, if any.
- There will also be a comment regarding response to correctional treatment, pertinent favorable factors, pertinent unfavorable factors, and other considerations appropriate to the individual case.

The regional confinement facility clemency board's recommendations and comments together with classification material, will be submitted to the installation commander with the record of board proceedings. Based upon these documents, the installation commander grants clemency to those prisoners he finds deserving.

b. Clemency Consideration.

In cases where the sentence to confinement is less than 8 months, prisoners will be considered for clemency action as soon as practicable. In cases in which the sentence to confinement is eight months or more but less than two years, consideration will not be earlier than four months nor later than six months from the date the sentence to confinement became effective and at least annually thereafter. Cases in which the confinement is two years or more, consideration will not be earlier than six months nor later than eight months from the date the sentence to confinement became effective and at least annually thereafter.

In addition to these criteria, prisoners may be considered for clemency action upon recommendation for cause at any time prior to completion of the sentence.

c. Temporary Home Parole.

Temporary home parole differs from clemency in that it does not provide for an early release of the prisoner from confinement. A prisoner on temporary home parole still retains his prisoner status. Temporary home parole is comparable to emergency leave. It is granted under the following conditions:

- For emergency reasons, but normally only in the case of critical illness or death of an immediate relative (for example, wife, child, parents, brother, sisters, and persons in loco parentis).
- The existence of emergency conditions or circumstances which require the prisoner's presence on temporary home parole. The emergency must be verified by the American Red Cross.
- The parole must be consistent with custodial requirements and the public safety; for example, the prisoner must not be confined as a result of a serious or aggravated offense.

- The parole is granted with or without a guard, as recommended by the facility commander and as approved by the installation commander.
- The expenses for travel and subsistence will be furnished by the prisoner except that expenses for any accompanying guard will be borne by the government.
- The temporary parole will be limited to the minimum number of days considered necessary, usually not exceeding one week exclusive of travel time.
- Even though the prisoner may qualify under all of the above stated conditions, the facility commander may deny temporary home parole if it is believed that the parole action would be detrimental to the correctional program. Normally the facility commander will act favorably upon Red Cross verified parole situations, but there is no requirement that he must do so. Temporary home parole is a privilege, not a right of the prisoner.

d. Restoration

To preclude the use of the word "clemency" and "restoration" in the same sense, a brief explanation is necessary. Restoration is the act of administratively canceling a punitive discharge that has been awarded by a court-martial. This act effectively restores, or returns, the soldier to honorable service. The authority to restore is vested in the Secretary of the Army and is not delegated below that level.

Department of the Army policy is to restore prisoners to duty who are deemed physically, mentally, and morally qualified to again become useful members of the Army. A prisoner's suitability for restoration is determined after a most careful review of his potential for future honorable and useful service. His civilian, military, and confinement records, as well as his attitudes and actions, are all considered in determining suitability for restoration to duty.

Restoration applies only to those prisoners with punitive discharges adjudged or executed. The basic considerations stated for clemency also apply to restoration; however, a much greater degree of scrutiny is given to a recommendation pertaining to such cases.

e. Executive Clemency

The President of the United States is constitutionally vested, in accordance with Article II, Section 2, ". . . to grant reprieves and pardons for offenses against the United States, except in cases of impeachment." As the President is also Commander in Chief of the Armed Forces, it is clear that he could intervene and grant a pardon (a form of clemency) in a court-martial case. Although this extraordinary authority exists, there is only the remotest possibility that the Executive Branch would choose to exercise it in a military case. In practical terms, executive clemency is a theoretical proposition of constitutional law. The

Secretary of the Army would move to restore an individual if the facts of the case warranted before a Presidential pardon would be granted.

4. General Release Procedures.

The release of a prisoner from the confinement facility entails certain administrative functions which must be performed prior to the actual release. From the day a prisoner is confined and processed into the Army confinement facility, the facility staff and various installation staff agencies associated with the facility actually begin preparing the prisoner for his eventual transfer or release. The entire program for processing, custody, control, and treatment serves this same end--transfer or release--which, therefore, becomes an important part of the whole correctional program.

A prisoner placed in confinement will remain in such confinement until released by proper authority. The proper authority who can release a prisoner from confinement is the installation commander under whose command the confinement facility is subject. Once a prisoner is placed in confinement, he passes beyond the control of the officer who initially ordered him confined unless that officer is the installation commander described above. The installation commander appoints the confinement facility officer as an assistant adjutant general and delegates to him the authority to release prisoners when the following release situations occur:

a. Expiration of Sentence. When a prisoner has completed his sentence as computed in accordance with Army regulations, he has the legal right to be released on that date. All prisoners will be released at the expiration of their sentences. They may, however, be retained under military jurisdiction without their consent, following completion of confinement, to answer additional charges pending against them or to await final action on that portion of the sentence adjudging punitive discharge. In addition, sentenced prisoners whose sentences include discharge or dismissal may be retained under military jurisdiction with their consent, following completion of confinement, in order to obtain medical attention for illness or injury which occurred while on duty.

(1) Mitigation, Suspension, or Remission of Sentence. When the prisoner's confinement sentence is ended by one of these situations, he is entitled by law, to be released from confinement on the date approved for such action by the subsequent court-martial order.

(2) Acquittal. If a court-martial has rendered a decision of not guilty on a prisoner who has been held in confinement during the trial, the prisoner will be released on the date the acquittal was announced in open court.

(3) Dropped Charges. When charges are withdrawn against a prisoner who has been confined, a properly authenticated release order will be executed, and the prisoner will be released immediately.

(4) Casual Prisoner. Where disposition instructions have been received from the prisoner's commander, the prisoner will be released for movement to the place designated by the commander.

b. Release Gratuities.

Prisoners returning to duty following completion of confinement do not receive release gratuities. However, upon release on parole prisoners will be furnished the gratuities set forth below:

- Civilian outer clothing, if needed, in accordance with AR 700-84.
- Transportation to parole destination in accordance with the Joint Travel Regulations which is borne by the government.
- A cash discharge gratuity in accordance with Department of Defense Military Pay and Allowances Entitlement's Manual.

c. Funds and Stamp Release.

Prior to a prisoner being released from confinement, the custodian will close out the prisoner's personal deposit fund account and will release the prisoner's funds to him by issuing a check or a petty cash payment. The prisoner will acknowledge the correctness of the balance reflected and receipt for same. Along with this, the prisoner's stamp account will be added to the personal deposit fund.

d. Prisoner's Release Order.

In all instances regarding prisoner release, a DD Form 367 must be completed. This form is not used when a prisoner is transferred to another confinement location. In those cases, special orders or travel orders will be the official document for accomplishing transfer of prisoners. The DD Form 367 is normally authenticated by the facility commander if the authority has been delegated in writing by the installation commander for permanent release of a prisoner.

If the prisoner is being released from confinement with an executed punitive discharge or dismissal, an officer on the facility staff authenticates the exact time and date of release. In the space "Reason for Release," he enters "Released per expiration of sentence to dishonorable discharge, bad conduct discharge, or confinement--dismissal (as appropriate) executed." See Figure 5-1.

PRISONER'S RELEASE ORDER		DATE 18 Mar 99
TO: Confinement or Brig Officer		INSTALLATION Fort Blank, MO 65473
THE PRISONER NAMED BELOW WILL BE RELEASED FROM CONFINEMENT <u>18 MARCH 1999</u> AND DELIVERED TO THE ORGANIZATION SHOWN <u>DATE</u>		
LAST NAME - FIRST NAME - MIDDLE INITIAL (Printed or typed) SMITH, MARK I.		SERVICE NUMBER/SSAN 462-01-6300
GRADE/RANK E1/PVT		
DEPARTMENT OF MILITARY SERVICE U.S. Army	ORGANIZATION 462d Signal Co, Ft Blank, MO 65473	
REASON FOR RELEASE Pre-trial confinement no longer deemed necessary		
FOR THE COMMANDER		
AUTHENTICATING OFFICER (Typed or Printed) JONES, David E.		SIGNATURE David E. Jones
GRADE/RANK, ORGANIZATION, AND TITLE 03/CPT, 14 TH MP Co, Ft Blank, MO Assistant AG		
RECEIPT		
RECEIPT OF THE ABOVE NAMED RELEASED PERSON IS ACKNOWLEDGED		DATE 18 Mar 99
		TIME 1400
NAME, GRADE/RANK, ORGANIZATION, TITLE (Printed or typed) LEMON, John K., 02/1LT 25 th Trams Bn, Fort Blank, MO Bn XO		SIGNATURE JOHN K. LEMON
REMARKS		
DD FORM 1 DEC 58 367 <small>PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE. 945-954 "U.S. GOVERNMENT PRINTING OFFICE: 1958 0 - 467730"</small>		

Figure 5-1. Example of DD Form 367.

e. Receipt for Prisoner or Detained Person

If the prisoner must leave the facility briefly for a reason such as an appointment, the escort must receipt for the prisoner on DD Form 629 (Figure 5-2). Ensure the items listed have been correctly completed.

RECEIPT FOR PRISONER OR DETAINED PERSON			
RECEIVED FROM (<i>Unit or Agency and Station</i>) Area Confinement Facility, Fort Blank, MO 65473		TIME 1000	DATE 15 Mar 99
LAST NAME — FIRST NAME — MIDDLE INITIAL AWNS, Robert J.		SERVICE NUMBER/SSN 111-22-3333	GRADE E1/PVT
ORGANIZATION 25 th Trans Company		STATION Fort Blank, MO 65473	
OFFENSE ART 86, AWOL			
PERSONAL PROPERTY On person			
REMARKS Prisoner to be returned prior to 1600 hrs, 15 Mar 99.			
NAME AND TITLE OF PERSON RECEIVING ABOVE INDIVIDUAL (<i>Typed or Printed</i>) JOHNSON, James R., First Sergeant		SERVICE NUMBER/SSN 444-55-6666	GRADE SFC
RECEIVING UNIT OR AGENCY AND STATION 25 th Trans Co, Fort Blank, MO 65473		SIGNATURE JAMES R. JOHNSON	

DD FORM 1 MAR 58 629 EDITION OF 1 MAR 52, IS OBSOLETE

Figure 5-2. Example of DD Form 629.

- Time and date of release. This entry must be the same as the current date and time.
- Name of prisoner. This information must be verified with the name on the prisoner's identification card or by asking the prisoner.
- Service or social security number of prisoner must be verified with the social security number on the prisoner's identification card or by asking the prisoner.
- Grade of prisoner must be verified with the prisoner or the escort.
- Organization and station must be verified with the prisoner or the escort. The full unit designation and location of the unit must be indicated on the DD Form 629.
- Offense.

- Name, title, and signature of person receipting for the prisoner.

f. Day of Release.

On the day a prisoner is to be released, he will be escorted to the facility main gate or sally port with his personal funds and effects, release order, and if appropriate, discharge certificate. At that point, the senior corrections NCO or shift correctional supervisor will check his release order to ensure it has been completed and authenticated and to verify his identity. Upon completion of these procedures, the prisoner will be released through the main gate or sally port of the facility.

LESSON 5

PRACTICE EXERCISE

The following items will test your grasp of the material covered in this lesson. There is only one correct answer for each item. When you complete the exercise, check your answer with the answer key that follows. If you answer any item incorrectly, study again that part of the lesson which contains the portion involved.

1. Travel expenses for prisoner's released on parole to the parole destination are borne by:
 - A. Prisoner's welfare fund.
 - B. Prisoner.
 - C. Government.
 - D. Red Cross.
2. In determining whether or not a prisoner is ready for clemency, consideration should be given to all of the following EXCEPT:
 - A. Willingness to participate in the training and employment programs.
 - B. Degree of skill in a civilian-type job.
 - C. Attitude and adjustment.
 - D. Conduct while in confinement.

Match the response in the right hand column with the term in the left-hand column. A response may be used once, more than once, or not at all.

QUESTION/INQUIRY COLUMN

3. Mitigation
4. Acquittal
5. Remission
6. Suspension

RESPONSE COLUMN

- A. The setting aside of the charges.
- B. The approximate equivalent of probation.
- C. The court-martial has rendered a decision of not guilty.
- D. The lessening of punishment imposed by a court-martial.

LESSON 5

PRACTICE EXERCISE

ANSWER KEY AND FEEDBACK

<u>Item</u>	<u>Correct Answer and Feedback</u>
1. C.	Government. However, upon release on . . . (page 5-9, para 4b).
2. B.	Degree of skill in a civilian type job. The objective of this program . . . (page 5-1, Introduction).
3. D.	The lessening of punishment imposed . . . Mitigation is the lessening of . . . (page 5-2, para 1a).
4. C.	The court-martial has rendered a decision of... Acquittal . . . (page 5-8, para 4a(2)).
5. A.	The setting aside of the charges. The remission of an offense . . . (page 5-2, para 1c).
6. B.	The approximate equivalent of probation. Suspension of a sentence . . . (page 5-2, para 1b).